

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.34712 OF 2017

ORDER:

The petitioner states that he belongs to Scheduled Caste Community (Mala) and he was appointed as fair price shop dealer of shop No.25 of Penasam Village, Gantyada Mandal, Vizianagaram District, by proceedings dated 27.09.1998, after following due process of selection. The petitioner was kept under suspension by proceedings on 18.05.2016 on the ground that the petitioner was absent for two and half years and during his absence, the fair price shop was being run by an in-charge dealer appointed by the Tahsildar. The petitioner was issued a show cause notice on 18.05.2016 for his unauthorised absence for two and half years and he was asked to appear before the Authorities. When the enquiry was not completed, he filed the present writ petition.

When the matter was taken up for consideration on 20.10.2017, the learned Government Pleader was directed to get instructions as the enquiry was not completed for more than one year. Pursuant to the same, the third respondent sent written instructions stating that the petitioner attended before the Revenue Divisional Officer on 08.06.2016 stating that the order was received by him on 06.06.2016. On the said date, he submitted his explanation and also submitted a Statement. In his explanation, he stated that he was unable to release the stocks for one month during 2005 due to financial problems. The said Statement is being verified and the enquiry would be completed and final orders would be passed within a month.

It is not known as to why the enquiry was not completed even after submitting the Statement by the petitioner on 08.06.2016.

In the circumstances, the third respondent is directed to complete the enquiry in accordance with law and pass appropriate orders.

Since this Court noticed abnormal delay in completing the enquiry, the District Collector, Vizianagaram, is directed to go through the record and take appropriate proceedings against the persons responsible for the delay in conducting enquiry.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any pending, in the writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

27.10.2017
pln

Note: 1. Registry is directed to send copy to the District Collector, Vizianagaram.

2. Issue order copy by 31.10.2017.
(By order)
pln

