

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.39628 OF 2018

DATED :09.11.2018

Between :

M. Swayamprabha D/o.Laxma Reddy,
Aged about 46 yrs, Occu : Fair Price Shop,
Shop No.1, Thimmapur Village,
B.Ramaram Mandal, Yadadri Bhuvanagiri District.

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Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Civil Supplies Department,
Secretariat, Hyderabad & others.

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Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies for respondents.

2. Petitioner is a fair price shop dealer bearing Shop No.1 of Thimmapur village B.Ramaram Mandal, Nalgonda District now Yadadri Bhuvanagiri District. By proceedings dated 29.10.2018 the fair price shop dealership is suspended on the allegation that petitioner was involved in canvassing in the elections. The said order of suspension is challenged in this writ petition.

3. As per Clause 17 of A.P.Scheduled Commodities (Regulation of Distribution by Card System) Order, 1973 appeal shall lie against any decision made by the Revenue Divisional Officer. Without exhausting the remedy of appeal, this writ petition is filed.

4. Learned counsel for the petitioner sought to contend that there was no prior notice or opportunity and based on some vague allegations, the dealership licence of the petitioner was suspended. As it is only suspension of dealership pending enquiry into allegation, it cannot be said that suspension cannot be resorted to, without conducting any enquiry. Suspension is in aid to conduct enquiry based on material placed before the competent authority. The order is not vitiated merely on the ground that there was no prior notice. Since petitioner has

remedy of appeal, the Court is not inclined to entertain the writ petition.

5. Accordingly, the Writ Petition is dismissed leaving it open to the petitioner to avail the remedy of appeal under Clause 17 of the A.P.Scheduled Commodities (Regulation of Distribution by Card System) Order, 1973. If such an appeal is filed, the same shall be considered and appropriate orders be passed within two (2) weeks from the date of receipt of appeal. Pending miscellaneous petitions shall stand closed.

9th November, 2018
Rds

P.NAVEEN RAO,J

