

WRIT PETITION No. 43582 of 2018

Date : 3.12.2018

Between:

Sri Jilla Buchaiah S/o Vishwanadam Aged 68 Years Occ Fair
Price Shop No 18 Dealer R/o 1127/1 Bachannapet Village
and Mandal Warangal District Telangana State

Petitioner

And

The State of Telangana

Rep by the Principal Secretary to Department of Consumer
Affairs Food and Civil Supplies Secretariat Hyderabad 500022
Telangana State

Respondents

The Court made the following:



ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Civil Supplies (TG).

2. Petitioner is existing fair price shop dealer of shop bearing No. 18, Bachhnanapet village and mandal, Jangaon district. Petitioner challenges the order of suspension of dealership vide proceedings dated 31.10.2018.

3. According to learned counsel for petitioner, before suspending the dealership, petitioner ought to have been put on notice and granted opportunity of hearing.

4. Prima facie reading of the order would show that contrary to the conditions of license and requirements of the Act and Rules governing the dealerships, petitioner was indulging in election campaign in the general elections now under process. The reading of the order would further show that it is not merely passed on paper clippings but preliminary enquiry was conducted by Tahsildar and based on his report, decision was taken. As it is only suspension pending enquiry into the allegations, it cannot be said that petitioner could have been given opportunity of hearing before resorting to suspension. Against the order of suspension, petitioner has remedy of appeal before the Joint Collector. In the said appeal, petitioner can raise all pleas as available to him.

5. In view of the same, writ petition is disposed of granting liberty to the petitioner to prefer appeal by raising all pleas as available to him including contentions raised in this writ petition. As and when such an appeal is filed, the same shall be considered and disposed of expeditiously, preferably within a period of four weeks thereof. No costs. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 3-12-2018
TVK

HONOURABLE SRI JUSTICE P. NAVEEN RAO



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