

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.11066 OF 2019

Date: 07.06.2019

Between:

Rayapudi Srinivasa Rao s/o. Satyanarayana,
Aged 37 years, occu:Fair Price Shop Dealer
of Shop No.2281009, Sundarayyanagar,
Khammam, Khammam district.

.....Petitioner

and

The State of Telangana, rep.by Prl.Secretary,
Consumer Affairs, Food and Civil Supplies,
(CS-I) Department, Secretariat, Hyderabad
and others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.11066 OF 2019

ORDER:

Petitioner is aggrieved by the order dated 09.04.2018 suspending the Fair Price Shop authorization. Consequent to the suspension, show-cause notice dated 04.06.2018 was issued by the Joint Collector, Khammam in E.C.P.No.44/2018, calling upon the petitioner to show-cause why the Fair Price Shop authorization should not be cancelled. Pursuant to the said show-cause notice, Joint Collector also fixed the date of personal hearing on 23.06.2018. Petitioner avers that he appeared before the Joint Collector on the date fixed, and also submitted his explanation on the same day. Alleging inaction on the part of Joint Collector in taking a final decision pursuant to the show-cause notice dated 04.06.2018, and keeping the authorization under suspension, this Writ Petition is filed.

2. Since the competent authority has already issued show-cause notice under Section 6-B of the Essential Commodities Act, 1955 (Act, 1955), the petitioner appeared, and made his submissions, Court is not inclined to examine the validity of order of suspension of authorization at this stage. However, to balance the equities, the Joint Collector is directed to finalize the proceedings initiated under Section 6-B of the Act, 1955. He shall consider the explanation offered by the petitioner, if the same is already received by him, and/or if petitioner appeared and made oral submissions on the date fixed for hearing. If petitioner did not appear on the date fixed for hearing and/or no explanation is filed, the Joint Collector shall consider the material on record. He

shall take a decision by assigning due reasons and communicate the same to the petitioner. The entire exercise shall be completed within a period of six weeks from the date of receipt of copy of this order. Writ Petition is accordingly disposed of. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 07.06.2019
kkm



HON'BLE SRI JUSTICE P.NAVEEN RAO



WRIT PETITION NO.11066 OF 2019

Date: 07.06.2019

kkm