

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12954 of 2005

Dated: 31.08.2006

Between

M.Siva Kumari

.....Petitioner

and

1.The Revenue Divisional Officer,Eluru,  
W.G.District and another.

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12954 of 2005

ORDER:

This writ petition is filed seeking a Mandamus to declare the impugned proceedings vide Roc.No.445/2005 ( c ) dated 17.05.2005 issued by the 1<sup>st</sup> respondent suspending the authorization of the petitioner for the fair price shop No.54 of Madhavaram village of Tadepalligudem Mandal, West Godavari District as illegal and arbitrary and consequently to direct the 1<sup>st</sup> and 2<sup>nd</sup> respondents to continue the petitioner's authorization.

Under the impugned proceedings, the authorization of the petitioner for the fair price shop No.54 of Madhavaram village, Tadepalligudem Mandal was suspended pending enquiry into the allegations enumerated therein and also directed the Mandal Revenue Officer, Tadepalligudem to make alternative arrangements for distribution of essential commodities in respect of shop No.54 of Madhavaram village.

There is no necessity to go into all the details.

While admitting the writ petition on 24.06.2005, this Court granted interim suspension of the impugned order leaving liberty to the authorities to take any steps available to them against the petitioner in accordance with law. Thus, the interim order granted by this Court does not preclude the authorities from conducting the enquiry into the matter. Now, it is more than one year and two months since the interim orders were passed. That apart the charges enumerated therein are general in nature and no specific incident is referred to.

Thus, I am of the opinion that there was no necessity of suspending the authorization of the petitioner for such general, trivial and non-specific charges. Therefore, the impugned order is liable to be set aside and is accordingly set aside.

Writ petition is allowed leaving liberty to the respondent-authorities to proceed with the matter as per law and pass appropriate orders after conducting a detailed enquiry into the allegations made against the petitioner by putting him on notice and hearing him personally, if not already passed by now.

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01.09.2006

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