

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.39313 of 2012

-

18.06.2015

Between:

Myneni Bala Sridhar

...Petitioner

And

The Joint Collector, Guntur and others

...Respondents

Counsel for the petitioner: Mr.K.Srinivas

Counsel for respondent Nos.1 to 3: Assistant Government

Pleader for Civil Supplies

Counsel for respondent No.4: Ms.Marella Radha

for Mr.Venkateswarlu Posani

-

The Court made the following:

-

-

-

ORDER:

This writ petition is filed for a *mandamus* to set aside proceedings in Rc.No.2884/2012-B, dated 22.11.2012 of respondent No.2 appointing respondent No.4 as the permanent fair price shop dealer of Budampadu Village.

At the hearing, it is represented by the learned counsel for the petitioner that the petitioner has filed an appeal against the order which is impugned in this writ petition and that the same is pending before respondent No.1.

In my opinion, the petitioner cannot avail parallel remedies on the same cause of action. Therefore, the Writ Petition is disposed of without adjudicating the same on merits with liberty to the petitioner to pursue the pending appeal before respondent

No.1. Since on the strength of the interim order, dated 21.12.2012, the petitioner is being continued as the temporary fair price shop dealer, he shall be continued as such till disposal of the appeal by respondent No.1. Respondent No.1 shall dispose of the appeal within two months from the date of receipt of a copy of this order, after giving notice to both the parties.

As a sequel to disposal of the writ petition, interim order, dated 21.12.2012 is vacated and W.P.M.P.No.49913 of 2012 and W.V.M.P.Nos.3718 of 2013 and 1947 of 2014 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

18th June, 2015

GHN