

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.6976 of 2009

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Between:

Megavath Pantaya

PETITIONER

AND

1. The Joint Collectior, Nalgonda, and others.

RESPONDENTS

ORDER:

This writ petition is filed seeking the following relief –

“...to issue a writ or order or direction more in the nature of writ of mandamus declaring the action of the respondents in not appointing the new dealer to the Fair Price Shop of Jhan Thanda and Ramadas Thanda of Nampalli Mandal of Nalgonda district as illegal, arbitrary, unjust; while issuing a consequential direction to the respondents to appoint a new dealer to the Fair Price Shop of both the Jhan Thanda and Ramadas Thanda of Nampalli Mandal of Nalgonda District in the interest of justice ...”

The case of the petitioner is that he is resident of Ramdas Thanda, Peddapuram Village, Nampalli Mandal, Nalgonda District. As the then fair price shop dealer of his Thanda indulged in certain irregularities he was removed, and in the process, the Jaan Thanda and Ramdas Thanda were attached to a nearby village, which is at a far away place. Though five months time has been elapsed no fresh dealer was appointed to his Thand, and on account of which, entire public in both the Thands are suffering. The petitioner submitted a representation dated 12.03.2009 to the 1st respondent to appoint a new fair price shop dealer to his Thanda. In spite of the same, as no action has been taken by the respondents, the petitioner filed the present writ petition.

A counter affidavit has been filed by the Tahsildar, Nampalli Mandal of Nalgoda District on 12.11.2015, stating that by proceedings No.K/2534/2008, dated 09.11.2009 issued by the Revenue Divisional Officer, Nalgonda, one Sri M. Sangha S/o. Hema resident of Pedda Thanda, Alias Ramdas Thanda was reinstated as fair price shop dealer. Further Ramdas Thanda is only 1 K.M. away from Jaan Thanda. Further, there were only 120 cards in Jaan Thanda, and as

such, no separate fair price shop can be opened for Jaan Thanda.

Admittedly, the Government issued G.O.Ms.No.55 dated 12.05.2015 determining that there should be a minimum of 600 cards for opening a new fair price shop in the rural area. This aspect has not been disputed by the learned counsel for the petitioner, and no challenge is made to G.O.Ms.No.55 dated 12.05.2015.

Considering the fact that as on today a new fair price shop dealer is available to serve the public, no further orders need be passed in this writ petition. Accordingly, the writ petition is closed.

As a sequel, miscellaneous petitions pending, if any, shall also stand closed. No order as to costs.

CHALLA KODANDA RAM, J.

13th November, 2015
Js.