

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

WRIT PETITION No.22235 of 2010

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30.09.2015

Between:

Mr.Ashish

.. Petitioner

and

The Chief Rationing Officer, Secunderabad and others

.. Respondents

Counsel for the petitioner: None appeared

Counsel for the respondents: Government Pleader
for Civil Supplies (TS)

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The Court made the following:

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ORDER:

The petitioner's father was a kerosene dealer and following his death, his mother was appointed as temporary nominated retail (NR) shop dealer for shop No.3069 at Karvan, Hyderabad.

In this writ petition, the petitioner feels aggrieved by the action of the respondents in not appointing him as NR shop dealer even on temporary basis or in not issuing fresh notification for filling up the vacancy of the shop in question.

A perusal of the record shows that the petitioner filed W.P.No.21690 of 2009 for a *mandamus* to set aside proceedings, dated 17.08.2009, of respondent No.3, whereunder he tagged the cards of kerosene shop No.3069 to another kerosene shop. The said writ petition was disposed of by this Court, by order, dated 24.11.2009, with the observation that the petitioner cannot claim appointment as dealer in place of his deceased father as a matter of right and that while there are no

merits in the writ petition, however, as and when a notification is issued by the respondents for appointment of dealer on permanent basis, the petitioner can also make his application and that thereupon, the respondents may consider the same. It is evident from the said order that no direction was issued by this Court to the respondents to appoint the petitioner as temporary dealer. Having not claimed and secured such relief in the previous writ petition, the petitioner cannot seek such a relief in the present writ petition. However, as the main grievance of the petitioner appears to be in not notifying the shop in question for filling up the vacancy on permanent basis and having regard to the submission of the learned Government Pleader for Civil Supplies (TS) that the vacancy has not been filled up on permanent basis, respondent Nos.2 and 3 are directed to notify NR shop No.3069 at Karvan, Hyderabad, for being filled up on permanent basis and complete the process of appointing permanent dealer within a period of three months from the date of receipt of a copy of this order. If the petitioner is eligible for applying for dealership, he is also entitled to submit his application and in such event, the respondents shall consider his case along with others.

Subject to the above directions, the Writ Petition is disposed of.

C.V.NAGARJUNA REDDY, J

30th September, 2015

GHN