

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION NO.6833 of 2009**

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Between:

Bathina Suresh Babu

PETITIONER

AND

1. Joint Collector (Civil Supplies), West Goadavari, Eluru, and another.

RESPONDENTS

**ORDER:**

The case of the petitioner is that originally his father late Surya Prakasha Rao was appointed as fair price shop dealer for shop No.38 (Old No.35) situated at Adivarapupeta, Eluru, Eluru Division under A.P. Public Distribution Control Order 2001. On the demise of his father on 19.08.2008, the petitioner submitted application dated 9.02.2009 to the 1<sup>st</sup> respondent requesting him to appoint him as fair price

shop dealer in the place of his deceased father based on the circular proceedings CCS Ref.No.N5/10045/2005 dated 29.06.2005. As the said application has not been processed, the petitioner filed the present writ petition.

Though the writ petition has been admitted on 01.04.2009, no interim orders were passed.

The learned Government Pleader for Civil Supplies brought to the notice of this Court that the earlier circular is no longer in operation in view of issuance of G.O.Ms.No.4, Consumer Affairs Food and Civil Supplies (CS-I) Department, dated 28.02.2014 making it clear that the cases prior to the year 2009 cannot be considered.

In that view of the matter, no orders as such can be passed in this writ petition as the circular, on which the petitioner placed reliance, is not in existence.

Accordingly, the writ petition is closed. As a sequel, pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

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**CHALLA KODANDA RAM, J.**

12<sup>th</sup> November, 2015

Js.