

HON'BLE SRI JUSTICE R.KANTHA RAO

Writ Petition No.3637 of 2015

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Date: 19-02-2015

Between

Jestadi Neeraja

... Petitioner

and

The State of A.P.,
Revenue Dept.,
Secretariat, Hyderabad,
Rep. by its Prl. Secretary;
and 4 others

... Respondents

HON'BLE SRI JUSTICE R.KANTHA RAO

Writ Petition No.3637 of 2015

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Order:

Heard Sri Challa Siva Sankar, learned counsel appearing for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents 1 to 4.

2. The petitioner is the temporary fair price shop dealer of shop No.30 of Narayanapalli village, Duvvur Mandal of YSR Kadapa district. No permanent fair price shop dealer was appointed to the aforesaid fair price shop

and the petitioner, who is the temporary dealer, has been distributing the commodities to the card holders. The Tahsildar, Duvvur Mandal on the application made by the 5th respondent, who is the fair price shop dealer of adjacent village, passed an order directing the allotment of essential commodities to her fair price shop. The said action of the Tahsildar is questioned in this writ petition.

3. The learned counsel appearing for the petitioner submits that according to G.O.Ms.No.52, dated 18-12-2008, only the appointing authority can pass orders allotting essential commodities even for a temporary fair price shop dealer but the Tahsildar has no such power. The order passed by the Tahsildar in view of the aforesaid G.O., is without any authority or jurisdiction.

4. Consequently, the writ petition is disposed of setting aside the order passed by the Tahsildar, Duvvur Mandal, allotting essential commodities to the fair price shop of the 5th respondent and the respondents 1 to 4 are directed to supply essential commodities to the petitioner, who is the temporary fair price shop dealer, pending consideration of her applications submitted for renewal. The miscellaneous petitions, if any, pending in this writ petition shall stand closed. No costs.

R.KANTHA RAO, J.

19th February, 2015.

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Note:-

Issue C.C. by 23-02-2015.

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19th February, 2015.
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