

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 31746 of 2015

DATED 30th September, 2015

BETWEEN

Smt. K.Lakshmi Devi

...Petitioner

And

The State of Andhra Pradesh,

Rep. by its Principal Secretary,

Department of Civil Supplies, Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 31746 of 2015

ORDER:

Heard learned Counsel for the petitioner and learned Government Pleader for the respondents.

It is the case of the petitioner that she was appointed as Fair Price Shop Dealer for Shop No. 1 of Gooty Village & Mandal, Ananthapur District by proceedings dated 14.8.2015 of the third respondent on temporary basis for a period of two

months. The said appointment of the petitioner was occasioned due to the suspension of dealership of the regular Fair Price Shop Dealer, K.V.Yellaiah. The regular Fair Price Shop Dealer approached this Court in Writ Petition No. 27110 of 2015 and this Court set aside the order of suspension passed against him and directed the third respondent therein to complete the enquiry and pass final order. Pursuant to the said order, the third respondent, in compliance with the order of this Court setting aside the suspension directed the Tahsildar to restore the dealership in favour of the regular Fair Price Shop Dealer by proceedings dated 3.9.2015. The Tahsildar in turn gave urgent notice to the Mandal Revenue Inspector-I, Gooty for taking appropriate action. Challenging the consequential order dated 3.9.2015, the present Writ Petition is filed.

From the facts narrated above, it is clear that the petitioner is not a regular Fair Price Shop Dealer and she is only an In-charge dealer appointed for a period of two months. The said appointment was made due to the suspension of regular Fair Price Shop Dealer, K.V.Yellaiah. The said regular Fair Price Shop Dealer approached this Court in Writ Petition No. 27110 of 2015 and this Court set aside the order of suspension by order dated 26.8.2015 and pursuant to the same, the Revenue Divisional Officer passed a consequential order on 3.9.2015 in compliance of the aforesaid order of this Court. Thereafter, the Tahsildar, Gooty, issued urgent notice to the Mandal Revenue Inspector-I, Gooty in compliance of the said consequential order. Such an order cannot be interfered with at the instance of the petitioner herein who is only an In-charge dealer appointed in the place of the regular Fair Price Shop Dealer, whose suspension was set aside by this Court. There cannot be any conflict with the order of this Court. In the circumstances, the Writ Petition is not maintainable and the same is liable to be dismissed.

In the result, the Writ Petition is dismissed at the admission stage. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE A. RAMALINGESWARA RAO

DATED 30th September, 2015.

Msnr_x