

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 17466 of 2015

DATED 17TH JUNE, 2015

BETWEEN

Sri Budda Swamy

...Petitioner

And

The State of Telangana,

Rep. by its Secretary, Consumer Affairs,

Food & Civil Supplies (CS.1) Department,

Secretariat, Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 17466 of 2015.

ORDER:

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

This Writ Petition is filed challenging the order passed by the third respondent dated 23.05.2015 on the ground that the petitioner is a grandson of the erstwhile Fair Price Shop dealer and was appointed on compassionate grounds in terms of G.O.Ms.No.4, Consumer Affairs, Food and Civil Supplies (CS.I) Department, dated 28.02.2014.

The petitioner was appointed as a Fair Price Shop Dealer on compassionate grounds on the recommendation of the Tahsildar, Bhiknoor, dated 5.1.2015 and 27.4.2015. A complaint was received by the second respondent stating that the petitioner is not a legal heir of late Budda Yellaiah, who was a Fair Price Shop Dealer of Shop No. 974 of Pedda Mallareddy village, Bhiknoor Mandal, Nizamabad District. During the enquiry it came to light that the said late Budda Yellaiah got only one daughter, by name, Budda Chinna Pochavva, who was married to one Siddaiah. They got only one minor son by name Chinna Swamy, who is not eligible to be appointed as a Fair Price Shop Dealer on compassionate grounds. Whereas, the petitioner is the son of Smt. Rajavva and Kunta Balaiah. The said Rajavva is not the biological daughter of late Budda Yellaiah, and she was brought up by the said Budda Yellaiah as he got only one daughter by name Smt. Budda Chinna Pochavva.

In the light of the these facts and circumstances, the impugned order is passed cancelling the appointment of the petitioner as Fair Price Shop Dealer. This Court does not find any ground warranting interference with the order passed by the second respondent dated 23.05.2015.

The Writ Petition is therefore 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.

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JUSTICE A.RAMALINGESWARA RAO

Dated 17TH JUNE, 2015.

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