

THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

TUESDAY THIS THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE MR JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.33950 of 2015

Between:

Sri Bala Tripura Sundari Group,
(Dwacra Grup), Srinivasanagar Colony,
Somepalli village, Tripurantakam Mandal,
Prakasam District, rep.by Banka Pichamma

..... PETITIONER

AND

The State of Andhra Pradesh,
Rep.by its Principal Secretary,
Consumer Affairs, Food & Civil Supplies Department,
Secretariat Buildings, Hyderabad and 3 others

.....RESPONDENTS

The Court made the following:

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.33950 of 2015

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ORDER:

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The petitioner is a Dwacra Group consisting of 10 members. On the representation of the Card Holders of Srinivasanagar Colony, the Fair Price Shop at Somepalli village was bifurcated and the petitioner was temporarily appointed as Fair Price Shop Dealer for a period of three months to the newly established Fair Price Shop at Srinivasanagar, by order dated 15.12.2012 of the 2nd respondent. The petitioner has been continuing as on today though the said order dated 15.12.2012 was issued only for a period of three months. Due to the irregularities committed by

the petitioner, earlier the authorisation of the petitioner was cancelled by the 4th respondent vide proceedings dated 22.11.2014. Against the said order, the petitioner filed W.P.No.9166/2015 and this Court by order dated 01.06.2015 set aside the said cancellation order on the ground of jurisdiction. Again on some allegations, the impugned order is passed on 15.09.2015. Challenging the same, the present writ petition is filed.

Though this Court is not inclined to interfere with the said impugned order, it is noticed that Respondents Nos.3 & 4 are also responsible for continuation of the petitioner as Fair Price Shop Dealer for all these years in spite of the order dated 15.12.2012 being for a period of three months. The respondents 3 and 4 should have taken steps for filling up of the vacancy of the newly created fair price shop in Srinivasanagar Colony on permanent basis. No such steps were taken. Now again a temporary arrangement is made.

Under these circumstances, the impugned order dated 15.09.2015 is set aside and the petitioner shall be continued as Fair Price Shop Dealer of Srinivasanagar Colony with strict vigilance of the 4th respondent and his subordinates. The 3rd respondent shall take immediate steps for notifying the vacancy and fill up the same, within a period of 3 (three) months from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in consequence.

A.RAMALINGESWARA RAO,J

Date: 13.10.2015

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