

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.5979 of 2008

ORDER:

The order dated 24.01.2008 issued in Rc.E.No.596/2007, by the 1st respondent-District Collector, Nellore District, bifurcating the Fair Price Shop of Tikkavarapadu village of Venkatachalam Mandal, Nellore District into two i.e., Tikkavarapadu-1 and Tikkaravapadu-2, is challenged before this Court on the ground that as per G.O.Ms.No.35, dated 17.09.2007, there should be a minimum of 400 – 450 BPL and 50 pink cards to be attached to each of the Fair Price Shop. Whereas, in the present case there are only 247 white cards, 9 AAY cards, 55 pink cards were attached to the Fair Price Shop of Thikkavarapadu Shop No.1 and 284 white cards, 25 AAY cards, one Annapurna card and 13 pink cards were attached to Fair Price Shop of Thikkavarapadu Shop No.2.

This Court while admitting the writ petition on 19.03.2008, granted interim suspension of the impugned order.

Counter affidavit has been filed justifying the bifurcation.

In the light of [the Andhra Pradesh Reorganisation Act, 2014](#), and considering the fact that as on today petitioner is continuing as a dealer of Fair Price Shop by virtue of interim suspension, interest of justice would be served if 1st respondent is directed to consider the objections raised by the petitioner in the light of the G.O.Ms.No.35, dated 17.09.2007 or any other subsequent

G.Os., which might have been issued.

Accordingly, the Writ Petition is allowed setting aside the impugned order. Further, the respondents are directed to reconsider the case of the petitioner in terms of the G.O.Ms.No.35, dated 17.09.2007 and other G.Os., if any. There shall be no order as to costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE CHALLA KODANDA RAM

Date:06.11.2015

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