

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.33855 of 2012

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29.07.2015

Between:

B.Satyanarayana Reddy ..**Petitioner**

And

The Revenue Divisional Officer, Karimnagar and others

...Respondents

Counsel for the petitioner: Mr.T.Mahender Rao

Counsel for respondent Nos.1 and 2: Government Pleader
for Civil Supplies (TS)

Counsel for respondent No.3: None appeared

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The Court made the following:

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ORDER:

This writ petition filed by the permanent fair price dealer of shop No.4513 of Godavarikhani, Ramagundam Mandal, Karimnagar District, feeling aggrieved by the action of respondent No.2 in keeping respondent No.3 as Incharge dealer of fair price shop No.4534.

Though notice was sent to respondent No.3, the same has been returned with the endorsement "Addressee not known. Hence, returned". As could be seen from his averments in the affidavit filed in support of the writ petition, the grievance of the petitioner is that there is no justification for respondent No.2 to keep him away from distributing the essential commodities relating to fair price shop No.4534 till the vacancy in respect of the said shop is filled up on permanent basis. The petitioner also pleaded that except respondent No.1, being the licensing authority, respondent No.2 has no jurisdiction to keep respondent No.3 as Incharge dealer of fair price shop No.4534, which was earlier attached to the petitioner.

At the hearing, the learned Government Pleader for Civil Supplies (TS) has not disputed the fact that respondent No.2 has no authority or jurisdiction to keep respondent No.3 as Incharge dealer of fair price shop No.4534, and that being the licensing authority, it is only respondent No.1, who has such power. He has also not disputed the fact that in pursuance of the interim order, dated 15.11.2012, passed by this Court, the petitioner is being continued as Incharge dealer of fair price shop No.4534.

In the above facts and circumstances of the case, respondent Nos.1 and 2 are directed to continue the petitioner as Incharge dealer of fair price shop No.4534 till the vacancy in respect of the said shop is filled up on permanent basis. Respondent No.1 is further directed to forthwith initiate the process of filling up the said vacancy and complete the same within two months from the date of receipt of a copy of this order.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, W.P.M.P.No.43088 of 2012 and W.V.M.P.No.95 of 2013 shall stand disposed of.

C.V.NAGARJUNA REDDY, J

29th July, 2015

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