

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

Writ Petition Nos.18339 of 2009

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Dated 10th September, 2015

Between:

B.Prabhakar

...Petitioner

And

The Government of Andhra Pradesh, rep.by its Secretary, Consumer Affairs, Food and Civil Supplies, Secretariat, Hyderabad and others

...Respondents

Counsel for the petitioner: Sri B.Vijaysen Reddy

Counsel for the respondents: AGP for Civil Supplies (TS)

The Court made the following:

ORDER:

This writ petition is filed for a mandamus to declare the action of the respondents in bifurcating the petitioner's fair price shop bearing No.8 of Tandur Town, Ranga Reddy District under proceedings bearing No.A5/812/2007, dated 17.08.2009, of respondent No.2,

as illegal and arbitrary.

This Court by order, dated 07.07.2009, has directed the parties to maintain *status quo*. The learned Government Pleader for Civil Supplies (TS) submitted that in pursuance of the said direction, no further action in pursuance of the impugned proceedings was taken. He has further stated that after the impugned order was passed, the State Government has issued G.O.Ms.No.55, Consumer Affairs, Food & Civil Supplies (CSI-CCS) Department, dated 12.05.2015, revising the norms in respect of the minimum cards to be allotted to each fair price shop for ensuring viability.

Having regard to this subsequent development, this Court feels that it would be appropriate for respondent No.2 to re-consider the proposed bifurcation of the petitioner's fair price shop keeping in view the viability norms prescribed under G.O.Ms.No.55, dated 12.05.2015.

Accordingly, the impugned order is set aside to the extent of the petitioner's shop with the direction to respondent No.1 to re-consider the issue in the light of G.O.Ms.No.55, dated 12.05.2015.

The writ petition is accordingly allowed.

As a sequel to disposal of the writ petition, W.P.M.P.No.23998 of 2009 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

10th September, 2015

VGB