

**THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA
RAO**

W.P.No.34870 of 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents.

2. Petitioner is a fair-price-shop dealer of shop No.683, Circle-VI, Amberpet, Hyderabad. Fair-price-shop dealer of shop No.701 had submitted his resignation on certain grounds. Thereafter, cardholders attached to shop No.701 were tagged on to fair-price-shop No.684 which is about 300 meters from fair-price-shop No.701. Petitioner contends that he has only 700 cards attached to his shop No.683, that as per the Circular dt.06-05-2015, he is entitled to have up to 1000 cards, and since his shop No.683 was only 50 meters from fair-price-shop No.701, the respondents ought to have tagged the cards from shop No.701 to his shop and not to shop No.684.

3. In the counter affidavit filed by 2nd respondent, it is stated that shop Nos.683 and 684 are only 50 meters apart and tagging on the cards of fair-price-shop No.701 to shop No.684 cannot be objected to.

4. G.O.Ms.No.4 dt.19-02-2011 issued by 1st respondent states that temporary arrangement for attaching cards should be ordered by the appointing

authority concerned to the 'nearby' fair-price-shop (Clause 12 (vi)).

5. In the present case, the cards attached to fair-price-shop No.701 were attached to fair-price-shop No.684 which is about 300 meters from fair-price-shop No.701 and the distance between the petitioner shop No.683 and shop No.684 is only 50 meters. It cannot be disputed that shop No.684 is also a shop near shop No.701. Unless the guidelines say that temporary arrangement for attaching the cards should be made to the nearest fair-price-shop, petitioner cannot insist that he should be allotted some of the cards for the shop No.701.

6. Therefore I do not find any irregularity or illegality in the attachment of the cards of shop No.701 to shop No.684. However this will not preclude the respondents from considering the representation of the petitioner for tagging, in future, as temporary arrangement cards of other shops, if they are not functioning, since he has got only 700 cards and he can have up to 1000 cards.

7. The Writ Petition is dismissed with the above observations. No costs.

8. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 07-12-2015

kvr