

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.17485 of 2009

Dated 30.09.2015

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Between:

M/s.Sri Savithri Bai Pule Self Help Group,
Karimnagar District, rep. by its President
Neduri Vanaja

... Petitioner

and

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The Revenue Divisonal Officer
Sircilla, Karimnagar District and another

...Respondents

**Counsel for the petitioner: Mr.Avinash Singh
for Mr.A.Prabhakar Rao**

Counsel for the respondents: GP 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 seeking to appoint another temporary dealer in place of the petitioner- Self Help Group, in respect of Fair Price Shop No.3304, Ambedkar Nagar, Sircilla Town, Karimnagar District, as illegal and arbitrary. The petitioner sought for a consequential direction to the respondents to continue it as the dealer of the said Fair Price Shop till a regular dealer is appointed.

At the hearing, the learned Government Pleader for Civil Supplies (TS), on instructions, submitted that following an inspection and seizure of essential commodities from the petitioner's Fair Price Shop, on finding certain irregularities, proceedings under Section 6-A of the Essential Commodities Act, 1955 (for short 'the Act'), were initiated, which were later concluded by confiscating 20% of the seized commodities and that in the appeal filed under Section 6-C of the Act, the District Court has reduced the quantity of confiscation to 10%. The learned Assistant Government Pleader has further submitted that the petitioner's authorisation has been restored.

A perusal of the averments in the affidavit, filed in support of the Writ Petition, shows that the petitioner was appointed as the dealer of the Fair Price Shop in question on temporary basis for a period of three months. Going by the submission of the learned Government Pleader, the petitioner is still being continued as the temporary dealer. In my opinion, it is not desirable to continue temporary arrangement on a permanent basis. It is surprising that though six years have elapsed, the vacancy is not filled up on permanent basis. Therefore, respondent No.1 is directed to initiate immediate steps for filling up the vacancy on permanent basis and complete the

entire process within three months from the date of receipt of this order. Till this process is completed, the petitioner shall be continued as the temporary dealer of the Fair Price Shop in question.

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

As a sequel to disposal of the Writ Petition, WPMP.No.22938 of 2009, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 30th September, 2015

LUR