

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.7870 OF 2016

ORDER:

Heard.

The petitioner challenges the notification calling for applications for appointment of fair price shop dealer on permanent basis for Thettu Village, Kurabalakota Mandal, Chittoor District on the ground that the petitioner has been authorized for distribution of essential commodities on behalf of Rukmini Dwacra Group for the past 11 years and she is also qualified and experienced to carry on the said shop on permanent basis. It is also her case that the Tahsildar had recommended her case vide letter dated 14.08.2014 and in spite of the same, the impugned notification has been issued. It is the contention of the learned counsel for the petitioner that without disposing of her representation, which has been recommended by the Tahsildar, issuance of notification is bad and arbitrary and she has vested rights within preferential treatment because of her experience.

On the other hand, learned Assistant Government Pleader submits that as the very appointment made in favour of Rukmini Dwacra Group itself being conditional, the notification as such does not suffer from any illegality. It is made clear that the same is only until the notification to be issued for filling on permanent basis. In that view of the matter, learned Assistant Government Pleader seeks dismissal of the writ petition.

Having considered the rival submissions and considering the fact that the petitioner had been admittedly distributing essential commodities on behalf of Rukmini Dwacra Group for the past 11 years, opportunity be given to the petitioner also to apply in response to the impugned notification. The experience which has been gained by the petitioner in distributing also being a plus point, which may be considered by the appointing authority as and when the application of the petitioner is being considered.

With the above observation, the writ petition is disposed of. There shall be no order as to costs.

In view of the disposal of the main writ petition, miscellaneous petitions, if any pending in the writ petition, shall also be closed.

Date:11.03.2016.
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