

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 20980 of 2016

ORDER:

Notification dated 21.06.2016 issued by the 4th respondent Revenue Divisional Officer, Madanapalle which sought to fill the vacancy of the fair price shop dealer for shop No. 5, Madanapalle Urban, Chittoor District, on permanent basis, is questioned in the present Writ Petition.

The claim of the petitioner is that she was appointed as a fair price shop dealer in respect of the above-said shop, however, her authorization was cancelled, vide proceedings, dated 12.08.2009 and the same was confirmed by the 3rd respondent District Collector, Chittoor through his proceedings, dated 31.05.2012. Questioning the said proceedings, the petitioner filed Writ Petition No. 18702 of 2015 and the same is pending consideration.

According to the learned counsel for the petitioner, pending consideration of the *lis*, issuance of the impugned notification inviting applications to fill the vacancy of the fair price shop dealer for the subject shop, on permanent basis, is not at all justifiable.

Heard learned Government Pleader for Civil Supplies (Andhra Pradesh).

Evidently, the authorization of the petitioner was cancelled by order dated 12.08.2009. Thereafter, the efforts made by the petitioner to get her authorization revived, did not fructify. Ultimately, she is before this Court in Writ Petition No. 18702 of 2015, which is pending consideration. Not even an order of stay has been obtained in her favour. In this fact scenario, I am of the opinion that on mere anticipation that there is likelihood of the petitioner succeeding in the Writ Petition, the vacancy of the fair price shop dealer cannot be kept unfilled, thereby causing inconvenience to the card-holders. Hence, the action of the 4th respondent in notifying the vacancy to be filled-up on permanent basis, cannot be found fault with. On this ground alone,

the Writ Petition does not deserve any consideration. Accordingly, it is dismissed.

It is needless to mention that consideration of the case of the petitioner for appointment as a fair price shop dealer depends on the outcome of the Writ Petition. No costs.

Consequently, the Miscellaneous Applications, if any shall also stand dismissed.

CHALLA KODANDA RAM, J.

30th June 2016

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