

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.26731 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a writ of Mandamus declaring the proposal of the fourth respondent for bifurcation of existing Fair Price Shop No.12 as illegal and contrary to G.O.Ms.No.35, dated 17.09.2007.

2. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Civil Supplies (Andhra Pradesh).

3. A perusal of the record reveals that the petitioner was appointed as Fair Price Shop dealer for Shop No.12 of Eguva Mathvam Village, Thavanampalle Mandal, Chittoor District vide D.Dis(B) No.1648/2010, dated 26.05.2010. It is the case of the petitioner that she has been distributing essential commodities to the card-holders without any complaint from any corner. It appears that the third respondent made a proposal for bifurcation of Fair Price Shop No.12 of Eguva Mathvam Village of Thavanampalle Mandal of Chittoor District and submitted a report to the District Collector, i.e. the second respondent for further action. The petitioner submitted a representation to the District Collector on 28.07.2016.

4. At the time of arguments, the only relief sought by the petitioner is to direct the second respondent to dispose of her representation dated 28.07.2016 before bifurcation of Fair Price Shop No.12 of Eguvamatyam village. The learned Assistant Government Pleader also consented for the same.

5. Having regard to the facts and circumstances of the case and also the submissions made by both counsel, the second respondent is hereby directed to dispose of the representation of the petitioner dated 28.07.2016 in the light of G.O.Ms.No.35 dated 17.09.2007 prior to bifurcation of Fair Price Shop No.12 of Eguva Mathvam Village, Thavanampalle Mandal, Chittoor District.

6. Accordingly, this writ petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

T.SUNIL CHOWDARY, J

August 9, 2016.

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