

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 8566 of 2016

DATED 16th MARCH, 2016

BETWEEN

R.G.Jyothi

....Petitioner

And

The State of Andhra Pradesh,
Rep. by its Secretary,
Consumer Affairs, Food and Civil Supplies Department,
Secretariat, Hyderabad and ors.

.....Respondents.

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 8566 of 2016

ORDER:

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

The petitioner was appointed as Fair Price Shop Dealer for Shop No.15 of Gorivimakulapalli village, Ramakuppam Mandal, Chittoor District on temporary basis in the year 2009 and her authorization is subsisting as of today. While so, the second respondent issued a notification on 03/03/2016 inviting applications from the eligible women candidates belonging to Scheduled Cast for filling up the vacancy of dealer to the aforesaid Fair Price Shop on permanent basis. The same is questioned in the present writ petition.

Learned counsel for the petitioner submits that the petitioner was appointed as dealer of the aforesaid Fair Price Shop on temporary basis in the year 2009 and since then she has been distributing the essential commodities to the cardholders without there being any complaint or blemish. He further submits that the second respondent issued impugned notification reserving the said post for Scheduled Caste woman without following the roster system as envisaged in G.O.Ms.No.4, Consumer Affairs, Food and Civil Supplies (CS.I) Department, dated 19.02.2011.

Pertinently there is no vested right on the petitioner to seek to appoint her as Fair Price Shop Dealer on permanent basis. The only course left open to the petitioner is to particulate in the selection process. Further, as it is the principal case of the petitioner that rule of reservation as envisaged in G.O.Ms.No.4, CA,F&CS(CS.I) Department, dated 19.2.2011 is not being followed, I deem it appropriate to direct the respondent authorities to strictly ensure adhering to rule of reservation in terms of Clause 7.3 of the Guidelines for Selection and Appointment Etc of Fair Price Shop Dealers under Andhra Pradesh State Public Distribution System (Control) Order, 2008 notified in G.O.Ms.4, dated 19.02.2011.

With the above observation, the Writ Petition is disposed of at the admission stage. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE CHALLA KODANDA RAM

DATED 16TH MARCH, 2016.

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