

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 8405 of 2016

DATED 16th MARCH, 2016

BETWEEN

Durga Mahila Sangam Fair Price Shop Dealer,
Brahmadevara Chendlu Village, Kuppam, Chittoor District, rep.
by its Group Leader L.R.Mangalakshmi.

....Petitioner

And

The State of Andhra Pradesh,
Rep. by its Secretary to Govt of AP,
Civil Supplies Department, Secretariat,
Hyderabad and ors.

.....Respondents.

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 8405 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.51 of Brahmadevara Chendulu Village, Kuppam Mandal, Chittoor District on 16/06/2009 on temporary basis and its authorization is subsisting as of today. While so, the 3rd respondent issued a notification on 03/03/2016 inviting applications 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 it has been distributing the essential commodities to the cardholders without there being any complaint or blemish. He further submits that in terms of G.O.Ms.No.4, Consumer Affairs, Food and Civil Supplies (CS.I) Department, dated 19.02.2011, the petitioner may be given preference for appointment of dealer to the aforesaid Fair Price Shop on permanent basis.

Pertinently there is no vested right on the petitioner to seek for its appointment as Fair Price Shop Dealer on permanent basis. The only course left open to the petitioner is to particulate in the selection process. However, considering the facts and circumstances of the case and submissions made by the learned counsel for the petitioner, the Writ Petition is disposed of with a direction to the respondents to continue the petitioner as fair price shop dealer for the shop in question until the appointment of a new dealer in terms of the notification dated 3.3.2016. The petitioner may also participate in the selection process and the respondent-authorities may consider the case of the petitioner by giving preference on account of his previous experience put in running the fair price shop since 2009.

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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