

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM
WRIT PETITION No.10147 OF 2016

ORDER:

Petitioner challenges the notification dated 07.03.2016 alleging that the same has been issued to select a candidate for appointment of a Fair Price Shop Dealer in violation of the guidelines issued vide G.O.Ms.No.4 dated 19.2.2011 as amended by G.O.Ms.No.39 dated 22.9.2012. Further, the selections are sought to be made without following the rule of reservation.

As per the averments in the writ petition, petitioner belongs to a scheduled caste community and studied up to intermediate and eligible for appointment of fair price shop dealer. The 3rd respondent issued the impugned notification calling for applications only from Back Ward Classes–B women category candidate for appointment of fair price shop dealer. The G.O.Ms.No.4 mandates reservation of 15% to scheduled castes, 6% to scheduled tribe, 3% to physically handicapped and 25% to back ward casts. The prescribed percentage of reservation is required to be followed revenue division wise. In the present case, the notification has been issued only for women and by ignoring the rule of reservation in terms G.O.Ms.No.4.

Learned Government Pleader for Civil Supplies on instructions submits that the rule of reservations should be followed strictly in terms of the notified G.Os and at any rate, the State does not have any objection for directing the respondents to follow the rule of reservation in terms of the G.O.Ms.No.4 read with G.O.Ms.No.39. The fact that the notification itself is issued calling for applications from B.C-B women candidates is an indication that the rule of reservation in appointment is being followed. There being no material placed by the petitioner how and in what manner the rule of reservation is violated no specific

direction can be issued to the respondents particularly considering the submissions of the learned Government Pleader that the rule of reservation is being followed and would be followed.

Considering the limited prayer of the petitioner, and there being no objection from the State authorities to follow the rule of reservation even otherwise they are required to do, the writ petition is disposed of with a direction to the respondent to strictly adhere to the rule of reservation and roster as in force from time to time.

Accordingly, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions pending consideration if any in the writ petition shall stand closed in consequence.

Justice Challa Kodanda Ram

29th March, 2016.

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