

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No:5790 OF 2014

ORDER:

1. This writ petition is filed by the petitioner seeking to declare the action of respondent No.2 in not transferring the authorization of the Fair Price Shop No.3 of Mirdoddi Village and Mandal of Medak District to the petitioner, as illegal and arbitrary, and consequently, to issue a direction to respondent No.2 to transfer the authorization of the Fair Price Shop No.3 of Mirdoddi village and Mandal of Medak District to the petitioner.

2. The case of the petitioner is as follows:

The husband of the petitioner was a permanent fair price shop dealer of Shop No.3 of Mirdoddi village and Mandal of Medak District and he died on 12.7.2013. The authorization of the Fair Price Shop was valid upto 4.6.2014. The petitioner is eligible to get the authorization transferred in her favour. Therefore, she made applications to respondents Nos.1 and 2 requesting to transfer the authorization in her favour. But no orders have been passed so far on her applications. While so, the respondents are preparing to issue a fresh notification calling for applications in respect of the Fair Price Shop in question. Hence, the petitioner filed this writ petition.

3. Heard and perused the material available on record.

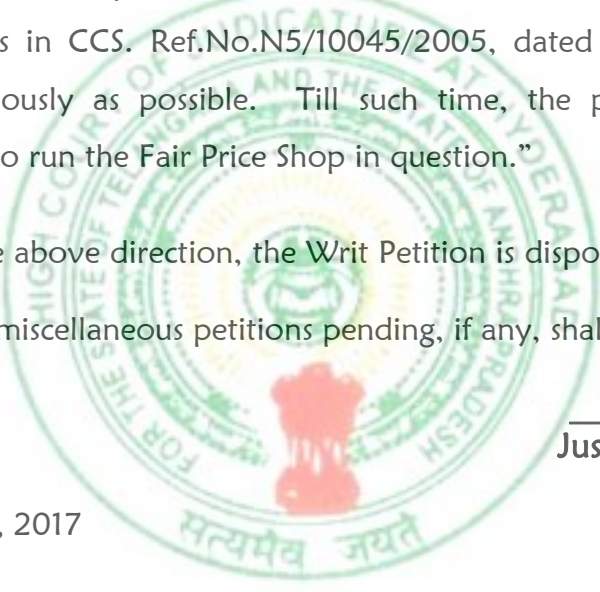
4. The learned Counsel for the petitioner submitted that the petitioner is entitled to get the authorization of the shop in question as per the proceedings No.CCS Ref.No.N5/10045/2005, dated 29.6.2005 and that the 2nd respondent has not passed any orders on the application made by the petitioner and therefore, the 2nd respondent may be directed to decide

the issue on the basis of the proceedings in CCS. Ref.No.N5/10045/2005, dated 29.6.2005.

5. From the material on record, it is evident that the petitioner made an application before the 2nd respondent on 2.8.2013 requesting to transfer authorization of Fair Price Shop in question in her name. But no orders have been passed so far. Considering the facts and circumstances of the case and the grievance of the petitioner, this Court is inclined to pass the following order:

“The 2nd respondent is directed to dispose of the application of the petitioner dated 2.8.2013 on the basis of the proceedings in CCS. Ref.No.N5/10045/2005, dated 29.6.2005, as expeditiously as possible. Till such time, the petitioner is permitted to run the Fair Price Shop in question.”

6. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

A large, faint green circular seal of the High Court of Telangana and the State of Andhra Pradesh is centered in the background. It features the text 'HIGH COURT OF TELANGANA AND THE STATE OF ANDHRA PRADESH' around the perimeter and 'FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH' at the bottom. In the center is a red emblem of the Government of India, with the motto 'सत्यमेव जयते' (Satyameva Jayate) in Devanagari script below it.

Justice Raja Elango

Date: 17th April, 2017
Nn.

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17.04.2017

Nn.