

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

THE HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN

and

THE HON'BLE SRI JUSTICE T. AMARNATH GOUD

Writ Appeal No.244 of 2018

Between:

Mude Pallavi, D/o M. Hanuman Nayak, aged about
18 years, Occ: Un-employee (ST), R/o Door No.45/78,
Thanda, Pandikunta village, Galiveedu Mandal,
YSR District and 10 others

... Appellants

Vs.

The State of Andhra Pradesh, represented by its
Principal Secretary, Civil Supplies Department,
Secretariat Buildings, Velagapudi, Guntur District
and 5 others

.. Respondents

For Appellant : Mr. V.R. Reddy Kovvuri

For Respondents : G.P. for Civil Supplies

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

HON'BLE SRI JUSTICE T. AMARNATH GOUD

Writ Appeal No.244 of 2018

JUDGMENT: (V. Ramasubramanian, J)

Aggrieved by an order passed by the learned Judge vacating the interim order granted earlier, the petitioners in a writ petition have come up with the above appeal.

2. Heard Mr. V.R. Reddy Kovvuri, learned counsel for the appellants. Learned Government Pleader for Civil Supplies (A.P.) takes notice for the respondents.

3. Challenging a Notification dated 23-10-2017 issued by the Revenue Divisional Officer, Kadapa Division, the petitioners filed a writ petition. The notification impugned in the writ petition was for the appointment of 275 dealers for the Fair Price Shops run by the respondents.

4. The challenge of the petitioners to the notification was that out of 275 vacancies, 42 should have been notified for Scheduled Castes, 22 for Scheduled Tribes and 21 for Physically Challenged etc. But despite the mistake in the roster being pointed out by this Court in an earlier round of litigation, the respondents notified the village to which the petitioners belong, as coming under the open category.

5. The learned Judge initially granted an interim stay, but after the respondents filed a vacate stay petition, the learned Judge

vacated the interim order forcing the writ petitioners to come up with the above writ appeal.

6. We do not think that this is a case for interference. The learned Judge has rightly and fairly stated that the petitioners may have a *prima facie* case, but the balance of convenience and the question of irreparable loss would not arise in their favour, as the notification concerns the appointment of dealers to 275 Fair Price shops. It is well settled that the parameters for the grant of an interim order in a writ petition are in no way different from the parameters for the grant of an interim order in a Civil Court, though certain amount of flexibility is employed as a matter of practical exigencies by Courts.

7. The contention with regard to the allotment of roster points and their distribution can always be agitated by the petitioners in the main writ petition and if the petitioners succeed, the persons, who secured appointment in the villages to which the roster point should have gone, may have to go out of the employment.

In view of the above, the writ appeal is dismissed. No costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

T. AMARNATH GOUD, J

Date: 12-02-2018

Ksn