

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.9259 of 2012

ORDER:

The relief sought for in this writ petition is for a mandamus to declare the action of the 2nd respondent, in appointing the 3rd respondent by his proceedings 15.02.2012 as a fair price shop dealer in Ward Nos.5, 6 and 10 of Moragudi Village, Jammalamadugu Mandal, YSR Kadapa District without following the guidelines prescribed in G.O.Ms.No.4 dated 19.02.2011, as illegal and arbitrary. By way of interim relief, the petitioner sought suspension of all further proceedings of the 2nd respondent dated 15.02.2012.

G.O.Mas.No.4 dated 19.02.2011, as it then stood, prescribed 50 marks for written examination and 50 marks for interview. Learned Government Pleader for Civil Supplies would fairly state that this Court had, in W.P.No.4038 of 2012, directed the Government to modify the marks prescribed, for the written examination and interview, in G.O.Ms.No.4; the marks were modified by G.O.Ms.No.10 dated 27.04.2014; and, instead, 80 marks were prescribed for written examination and 20 marks for interview.

The selection process, which is impugned in this writ petition, was made on the basis of G.O.Ms.No.4, as it then stood, whereunder 50 marks were prescribed for the written examination, and 50 marks for the interview. Such a prescription was, admittedly, faulted by this Court, and it resulted in a modification thereto by the Government. For these reasons, and as appointment of the 3rd respondent has been interdicted by the interim suspension granted in W.P.M.P.No.11720 of 2012 dated 11.04.2012 more than six years ago, the impugned selection process is liable to be and is, accordingly, set aside. Suffice it to make it clear that this order shall

not disable the respondents from conducting fresh selections in accordance with law.

The Writ Petition is disposed of accordingly. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

29th June, 2018
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Date: 29.06.2018

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