

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.11019 of 2018

ORDER:-

This writ petition is filed for the following relief:

“... to issue Writ, Order or Direction, more in the nature of Writ of Mandamus declaring the action of the 3rd respondent in not issuing the order of appointment even after declaring the petitioner as selected FP Shop Dealer on permanent basis for Shop No.30 of Pinchareddivaripaly, H/o.Mudumpadu village, in Ref.No.C/717/2017, dated 15.02.2018 even after lapse of more than a month as being illegal, arbitrary and is in violation of Articles 14 and 21 of the Constitution of India, and consequently direct the respondents to immediately issue the appointment order to the petitioner and to permit her to distribute the commodities to the cardholders, and to pass such other order or orders as are deemed fit and proper.”

Counter affidavit, deposed by the Revenue Divisional Officer/3rd respondent is filed. Paragraph No.5 of the said Counter affidavit reads as under:-

“In reply to para No.5 of the affidavit, it is submitted that the writ petitioner is selected as F.P.Shop dealer for the F.P.Shop No.30 of Pinchareddyvaripally, H/o.Mudumpadu village of Tsundupalli Mandal based on the merit shown in written test and interview. I submit that the appointment of Smt.M.Srivani, W/o.Prathap Reddy is under process and orders will be issued soon duly appointing her as F.P.Shop dealer of Shop No.30 of

Pinchareddyvaripally, H/o.Mudumpadu village of T.Sundupalli Mandal. Therefore, I submit that the writ petitioner Smt.M.Srivani, W/o.Prthap Reddy has filed the instant Writ Petition on her assumption and fear that her case will be rejected. But Smt.M.Srivani, W/o.Prathap Reddy is eligible candidate and she will be appointed as F.P.Shop Dealer of Shop No.30 and there is no doubt in this regard. Therefore, the Writ Petition filed by Smt.M.Srivani, W/o.Prathap Reddy is unjust, unwarranted, it is filed due to her surmise. Therefore, the Writ Petition filed by her is totally devoid of merits and not maintainable under law and liable for dismissal.”

In view of the above averments made in the counter affidavit at paragraph No.5, this Court deems it appropriate to dispose of the Writ Petition, with a direction to the respondents to consider the case of the petitioner herein for appointment as Fair Price Shop Dealer, as expeditiously as possible, as per law.

Miscellaneous petitions pending, if any, shall stand disposed of. There shall be no order as to costs.

A.V.Sesha Sai, J

Date: 18.04.2018
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