

**HONOURABLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION NO.39186 OF 2018**

**Date: 08.11.2018**

Between:

D.Laxmi W/o. D.Srinivasulu, Aged 47 years,  
Occu: Fair Price Shop Dealer, r/o. H.No.1/38,  
B.C.Colony, Kandukur village, Kosigi Mandal,  
Kurnool District, Andhra Pradesh.

.....Petitioner

and

The State of Andhra Pradesh, rep.by its  
Principal Secretary, Civil Supplies Department,  
Secretariat, Velagapudi, Guntur district  
and others.

.....Respondents



The Court made the following:

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**ORDER:**

Petitioner holds Fair Price Shop Dealership for Shop No.27 in Kandukur village, Kosigi Mandal, Kurnool district. This writ petition is filed challenging the notification dated 19.10.2018 calling for applications for enlisting of persons for allotment of fair price shop dealerships in various locations. One of the locations mentioned in the said notification is in Kandukur village. Alleging that as existing dealership licence is not cancelled, respondents cannot go for fresh dealership authorization and the same would amount to illegal and arbitrary exercise of power, this writ petition is filed.

2. When the matter is taken up for consideration, learned Government Pleader would submit that on review of existing locations of fair price shops, the number of ration cards issued and distance principle orders were passed by the Collector (Civil Supplies) notifying additional/new fair price shops. Similarly, new fair price shop is notified in Kandukur village and this is in addition to existing fair price shop and the new shop is assigned shop No.42. He would therefore submit that it is not the same shop held by the petitioner, but is an addition.

3. At this stage, learned counsel for petitioner sought to contend that even according to the Government policy notified vide G.O.Ms.No.35 CA, F & CS (CS-I) Department, dated 17.09.2007, existing fair price shop dealer should have minimum of 450 ration cards, whereas the ration cards are reduced to less than 450 and the same is bad in law. However, Court is not expressing any

opinion on the said contention as it is not the subject matter in the writ petition. Thus, leaving it open to petitioner to work out her remedies against creation of new fair price shop and distribution of ration cards between two shops, Writ Petition is dismissed. Pending miscellaneous petitions shall stand closed.

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**JUSTICE P.NAVEEN RAO**

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