

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.43024 OF 2018

Date: 28.11.2018

Between:

P.Naga Sankara Rao s/o. Subba Rayudu,
Aged about 40 years, Occu: F.P.Shop dealer
of Shop No.10, Puligadda village, Avanigadda
Mandal, Krishna district.

.....Petitioner

and

The State of Andhra Pradesh, rep.by its
Principal Secretary, Consumer Affairs, Food
and Civil Suplies, AP Secretariat Buildings,
Velagapudi, Thulluru Mandal, Amaravathi,
Guntur district and another.

.....Respondents



The Court made the following:

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ORDER:

Petitioner was holding fair price shop dealership authorization on shop no.10 of Puligadda village, Avanigadda Mandal, Krishna district. The authorization was valid for two years. As required by the A.P.State Public Distribution System (Control) Order 2008, existing dealer has to apply for renewal before expiry of the period of lease. Petitioner did not apply within the time, but applied after 3½ years from the date of expiry of lease period.

2. Having regard to the time prescribed in clause 5 (9) of the Control Order, 2008, the application for renewal was rejected by order dated 06.10.2012. It appears said order was not challenged and has become final. While so, petitioner claims that representation was made on 31.10.2018 to grant authorization by renewing the lease earlier granted to him. Alleging inaction on the said representation, this writ petition is filed.

3. *Prima facie*, it cannot be said that there is inaction on the said application as such application was made only on 31.10.2018 and received by the competent authority on 02.11.2018. Further, rejection order was made on 06.10.2012. It is not open to petitioner to make further application for renewal without assailing the order of rejection of renewal made in the year 2012. No manner of right vested in a dealer to seek renewal whenever he chooses to apply for renewal as a matter of course. Thus, the claim in the writ petition is not valid. Writ petition deserves to be

dismissed and is accordingly dismissed. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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