

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF FEBRUARY  
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE D.S.R.VARMA**

**WRIT PETITION NO : 483 of 2005**

Between:

S. Mangilal, S/o. Late Sampath Raj,  
Shop No. 884, Circle-VIII, Risalabazar, Bollaram, Secunderabad.

**..... PETITIONER**

AND

- 1 The Chief Rationing Officer (City) Hyderabad.
- 2 The District Supply Officer Hyderabad City, Near Anand Talkies, Secunderabad.
- 3 Smt. G. Shantha Kumari, W/o. Vijay Kumar,  
R/o. Bungalow No. 15, Opp. Sadanandi Bus Stop,  
Bollarum, Secunderabad.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, Order or direction more particularly one in the nature of WRIT OF MANDAMUS by declaring the inaction of the 1st respondent in considering the stay petition or appeal filed on 15-1-2005 against the selection of the 3rd respondent as F.P. Shop dealer of Shop No. 884 of Circle-VIII, Risalabazar, Bollarum, Secunderabad in the proceedings dated 28-12-2004 as illegal arbitrary and in violation of principles of natural justice and consequently direct the 1st respondent to consider and dispose off stay petition or appeal itself within a reasonable time and to pass such other order or orders

**Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR**

**Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES**

**The Court made the following :**

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**ORDER:**

The petitioner herein, was a dealer appointed on temporary basis. It is not in dispute that subsequently, the third respondent had been appointed as a dealer on permanent basis and challenging the said action, the petitioner preferred an appeal before the competent authority and the same is still pending.

From a perusal of the order, it discloses that the appointment of the petitioner was purely on temporary basis and such temporary appointment would not confer any right. However, it is for the competent authority to look into the facts and circumstances and take a decision in the appeal.

Accordingly, the Writ Petition is dismissed, with a direction to the first respondent, to dispose of the appeal, as expeditiously as possible, preferably within a period of four weeks, from the date of receipt of a copy of this order, uninfluenced by any of the observations made herein. Interim orders granted by this court on 24.1.2005, shall stand vacated. No costs.

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D.S.R. VARMA, J

DATED: 28.02.2005

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To

- 1 The Chief Rationing Officer (City) Hyderabad.
- 2 The District Supply Officer Hyderabad City, Near Anand Talkies, Secunderabad.
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