

**THE HON'BLE SRI JUSTICE D.RAMESH**

**WRIT PETITION No.35124 of 2016**

**ORDER:**

The Writ Petition is filed under Article 226 of the Constitution of India seeking a direction to declare the action of the respondent No.4 in issuing the proceedings vide Ref.(E)6037/Rajanagaram/0428048/2016, dated 07.10.2016 as illegal, arbitrary and violative of Principles of natural justice.

2. Heard learned counsel for the petitioner and learned Assistant Government Pleader appearing for respondents.

3. Considering the submissions and on perusal of the record, this Court has passed *Status-quo* order on 19.10.2016.

4. Today when the matter is called, the respondents sought liberty to follow the principles laid down in paragraph No.6 in G.O.Ms.No.35, dated 17.09.2007, which reads as follows and take appropriate action.

"6. The following norms shall be followed in the process of rationalization of fair price shops:

- (i) Hyderabad city – if the cards of the existing fair price shop is more than the minimum of 600 cards (white/AAY/AP/crippled weavers) and 400 pink cards, the excess number of cards of such fair price shop shall be transferred to a new fair price shop to be located in the same locality.

- (ii) Opening of a fair price shop within one kilometre radius of the residence of the card holder shall be scrupulously followed.
- (iii) In municipalities/erstwhile taluk head quarter (urban), each fair price shop should have a minimum of 500 BPL cards.
- (iv) In Mandal head quarters each fair price shop should have a minimum of 500 BPL cards and 250 pink cards. Keeping in view the guidelines already issued, new fair price shops can be opened basing on the need.
- (v) Rural areas- Each Gram Panchayat (v) should have at least one F.P shop with a minimum of 400 BPL cards and 50 APL cards. In case, there are more number of cards in excess of the minimum number of cards i.e., 400 BPL and 50 APL in a village there can be two FP Shops, provided the total number of BPL cards in that village is not less than 600 and the number of BPL and APL cards should be attached to the two Fair Price Shops equally."

5. In view of the same, the writ petition is disposed of giving liberty to the respondents to follow the principles laid down in paragraph No.6 in G.O.Ms.No.35, dated 17.09.2007 and take appropriate action in accordance with law.

6. With the above direction, the writ petition is disposed of. There shall be no order as to cost.

As a sequel miscellaneous applications, pending, if any, shall also stand closed.

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**JUSTICE D.RAMESH**

Date: 24.03.2023  
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Dated 24.3.2023

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