

HON'BLE SRI JUSTICE R.KANTHA RAO

WRIT PETITION No.5156 of 2015

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ORDER:

Heard the learned counsel appearing for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents.

2. This writ petition is filed seeking to declare the action of the 2nd respondent in not considering the petitioner's application dated 24.11.2014 for the appointment of dealer of fair price shop at Yapalapaya Thanda, Rekulagadda Village, Chandampet Mandal, Nalgonda District, on compassionate grounds, as arbitrary and illegal.

3. The father of the petitioner was appointed as permanent fair price shop dealer at Yapalapaya Thanda, H/o Rekulagadda, Chandampet Mandal, Nalgonda District about 28 years back and continued as such till his death on 01.10.2009. According to the petitioner, the 1st respondent issued G.O.Ms.No.4 Consumer Affairs, Food and Civil Supplies (CS-I) Department dated 28.02.2014 in respect of compassionate appointment of the deceased fair price shop dealers, as fair price shop dealers on compassionate grounds. As per the said G.O., the legal heirs of the deceased fair price shop dealers are eligible to be appointed on compassionate grounds provided, if the death of the dealer was not earlier than the year 2009. Accordingly, the petitioner filed an application along with all necessary documents before the 2nd respondent seeking appointment as fair price shop dealer on compassionate grounds. The 2nd respondent without considering the terms and conditions in G.O.Ms.No.4 dated 28.02.2014, rejected the application of the petitioner through Memo No.2049/2014 dated 23.01.2015. The grievance of the petitioner is that in spite of his eligibility for appointment of fair price shop in terms of G.O.Ms.No.4, the 2nd respondent has rejected his application.

4. In view of the terms and conditions issued by the Government in G.O.Ms.No.4 dated 28.02.2014, the 2nd respondent is directed to consider the application of the petitioner as fair price shop dealer on compassionate grounds for Shop at Yapalapaya Thanda, H/o Rekulagadda Village, Chandampet Mandal, Nalgonda District, subject to the petitioner satisfying the conditions stipulated in the said G.O., within a period of two (2) months from the date of receipt of a copy of this order.

5. Accordingly, the writ petition is disposed of. The miscellaneous petitions, if any, pending in this writ petition shall stand closed. No order as to costs.

R.KANTHA RAO, J

Date: 03.03.2015
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HON'BLE SRI JUSTICE R.KANTHA RAO

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Date: 03.03.2015

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