

THE HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.2150 of 2015

ORDER

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

2. This Writ Petition is filed seeking to declare the action of third respondent in not appointing the petitioner as fair price shop dealer of Shop No.81 of Moolasagaram, Nandyal, Kurnool District, on compassionate grounds in terms of G.O.Ms.No.4, dated 28.02.2014, as arbitrary and illegal.

3. The father of the petitioner was appointed as permanent fair price shop dealer of Shop No.81 of Moolasagaram, Nandyal, Kurnool District, and continued as such. During the time of his dealership, the father of the petitioner died on 16.11.2014 leaving behind his wife and children. After the death of the father of the petitioner, in-charge arrangements were made and the neighbouring dealer has been distributing the commodities to the cardholders. While so, the Government of Andhra Pradesh issued G.O.Ms.No.4, Consumer Affairs, Food and Civil Supplies (CS-I) Department, dated 28.02.2014, providing appointment to the legal heirs of the deceased fair price shop dealers on compassionate grounds.

4. As per the aforesaid G.O, the legal heirs of the deceased fair price shop dealers are eligible to be appointed on compassionate grounds provided, the death of the dealer occurred not earlier than the year 2009. Accordingly, the petitioner filed an application along with all necessary documents to the 2nd and 3rd

respondents seeking appointment as fair price shop dealer on compassionate grounds, but so far no orders have been passed.

5. In view of the same, the 3rd respondent is directed to consider the application of the petitioner for appointment as fair price shop dealer on compassionate grounds for Shop No.81 of Moolasagaram, Nandyal, Kurnool District, in terms of G.O.Ms.No.4, dated 28.02.2014, subject to condition of the petitioner satisfying the conditions stipulated in the said G.O.

6. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE R. KANTHA RAO

5th February, 2015

sj