

HON'BLE SRI JUSTICE R.KANTHA RAO

WRIT PETITION No.7061 of 2015

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ORDER:

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

2. This writ petition is filed seeking to declare the action of the 3rd respondent in not considering the petitioner's applications dated 24.11.2014 and 29.12.2014 for the appointment of dealer of fair price shop No.99, Bhaktavatsala Nagar, Nellore Town and District, on compassionate grounds, as arbitrary and illegal.

3. The husband of the petitioner was appointed as permanent fair price shop dealer, Shop No.99, Bhaktavatsala Nagar, Nellore Town and District, and continued as such till his death on 19.11.2011. 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 3rd respondent seeking appointment as fair price shop dealer on compassionate grounds. The 3rd respondent though received a report from the 4th respondent-Tahsildar, Nellore (Urban) failed to provide compassionate appointment to the petitioner as per the terms and conditions in G.O.Ms.No.4 dated 28.02.2014. The grievance of the petitioner is that in spite of her eligibility for appointment of fair price shop dealer in terms of G.O.Ms.No.4, the 3rd respondent has not passed any orders on her representations dated 24.11.2014 and 29.12.2014.

4. In view of the terms and conditions issued by the Government in G.O.Ms.No.4 dated 28.02.2014, the 3rd respondent is directed to consider the application of the petitioner as fair price shop dealer on compassionate grounds for Shop No.99, Bhaktavatsala Nagar, Nellore Town and 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: 18.03.2015
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HON'BLE SRI JUSTICE R.KANTHA RAO

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Date: 18.03.2015

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