

**HON'BLE SRI JUSTICE R. KANTHA RAO**

**Writ Petition No.11890 of 2015**

**ORDER:**

Heard the learned counsel appearing for the petitioner and the Government Pleader for the Civil Supplies for the State of Andhra Pradesh.

2. This writ petition is filed seeking writ of *Mandamus* declaring the notification proceedings dated 01.04.2015 issued by the 3<sup>rd</sup> respondent in so far as Shop No.2 at Rythupeta of Nandigama Village and Mandal, Krishna District, without considering the representation of the petitioner dated 02.07.2014 for his appointment as fair price shop dealer in terms of G.O.Ms.No.4 dated 28.02.2014, as illegal and arbitrary.

3. The father of the petitioner was the permanent fair price shop dealer for shop No.2 at Rythupeta of Nandigama Village & Mandal. While working as a dealer, he expired on 21.05.2014. Thereafter, the petitioner made a representation to respondents 2 to 4 on 02.07.2014 stating that he is eligible for appointment as fair price shop dealer in the place of his deceased father on compassionate grounds in terms of G.O.Ms.No.4 dated 28.02.2014. The grievance of the petitioner is that the respondents have not taken any action on his representation for appointment as fair price shop dealer on compassionate grounds, but the 3<sup>rd</sup> respondent has issued notification vide proceedings dated 01.04.2015 calling for appointment of fair price shop dealer to the subject fair price shop.

4. Under these circumstances the respondents are directed to consider the case of the petitioner for appointment as fair price shop dealer for Shop No.2, Rythupeta of Nandigama Village & Mandal, Krishna District, in terms of G.O.Ms.No.4 dated 28.02.2014 on compassionate grounds, subject to his eligibility prior to making any appointment pursuant to notification.

5. The writ petition is accordingly disposed of. Miscellaneous applications, if any, shall stand closed. No order as to costs.

*R. KANTHA RAO, J*

Date: 24.04.2015

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**Date: 24.04.2015**

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