

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

**W.P.No.6101 of 2015**

**ORDER:**

Heard learned counsel appearing for the petitioner, learned Government Pleader for Civil Supplies appearing for respondent No.1, and learned Government Pleader for Revenue appearing for respondents 2 to 4.

This Writ Petition is filed seeking to declare the action of the respondents in not considering the case of the petitioner for appointment as fair price shop dealer on compassionate grounds in terms of G.O.Ms.No.4, dated 28.2.2014, as arbitrary and illegal.

The father of the petitioner was the permanent dealer of fair price shop No.496, D.No.1-32, Jagannadhavalasa Village of Vangara Mandal, Srikakulam District and due to ill health, he died on 10.01.2015, leaving behind him his wife, the petitioner, who is none other his son, and another son.

Learned counsel appearing for the petitioner submits that by virtue of G.O.Ms.No.4, dated 28.2.2014, the dependants of the deceased fair price shop dealers, have to be considered for appointment as fair price shop dealers, on compassionate grounds, subject to fulfillment of the conditions stipulated in

G.O.Ms.No.4. Learned counsel further submits that based on the application submitted by the petitioner, the Deputy Tahsildar after conducting enquiry, addressed letter to the 4<sup>th</sup> respondent, who in turn, sent recommendation to the 3<sup>rd</sup> respondent, to consider his case for appointment as fair price shop dealer on compassionate grounds, but so far no action has been taken.

Having regard to the facts and circumstances of the case, the Writ Petition is disposed of directing the respondents to consider the case of the petitioner based on the report submitted by the Deputy Tahsildar, which was forwarded by the 4<sup>th</sup> respondent to the 3<sup>rd</sup> respondent, seeking appointment as fair shop dealer on compassionate grounds subject to his fulfilling the conditions stipulated in G.O.Ms.No.4, dated 28.2.2014, within a period of two months from the date of receipt of a copy of this order. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

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**JUSTICE R. KANTHA RAO**

*11<sup>th</sup> March, 2015*  
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