

THE HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.1271 of 2015

ORDER

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

2. This Writ Petition is filed seeking to declare the action of the respondents in not appointing the petitioner as fair price shop dealer for Thogatapalle H/o.Matli, Veeraballe Mandal, Kadapa District, in terms of G.O.Ms.No.4 dated 28.02.2014, as arbitrary and illegal.

3. The husband of the petitioner was appointed as permanent fair price shop dealer of Matli Village, Veeraballe Mandal in 1999 and continued as such and died on 17.02.2009 leaving behind his wife and parents. After the death of the husband 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 before the respondents seeking appointment as fair price shop dealer on compassionate grounds. Further, all the other legal heirs have

given no objection for appointment of the petitioner as fair price shop dealer. The 3rd respondent addressed a letter dated 17.07.2014 to the 4th respondent to enquire into the matter and submit a report along with specific recommendations, but no such report has been submitted by the 4th respondent till date.

5. The grievance of the petitioner is that in spite of her eligibility to be appointed as fair price shop dealer, the respondents have not passed any orders appointing her as fair price shop dealer on compassionate grounds.

6. In view of the same, the 3rd respondent is directed to consider the application of the petitioner as fair price shop dealer on compassionate grounds for Matli Village, Veeraballe Mandal, Kadapa 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.

7. 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

4th February, 2015

SJ

