

HON'BLE SRI JUSTICE R.KANTHA RAO

WRIT PETITION No.4641 of 2015

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ORDER:

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

2. This writ petition is filed seeking to declare the action of the 3rd respondent in not appointing the petitioner as F.P. Shop Dealer of Shop No.8, Kotaguddam Village, Kambadu, Anantapuram District, as arbitrary and illegal.

3. The father of the petitioner was appointed as permanent fair price shop dealer of Shop No.8, Kotaguddam Village, Kambadu, Anantapuram District about 25 years back and continued as such and he died on 13.01.2012. 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 4th respondent after conducting enquiry submitted a report dated 30.09.2014 to the 3rd respondent recommending the name of the petitioner as fair price shop dealer on compassionate grounds in terms of G.O.Ms.No.4, dated 28-02-2014. The grievance of the petitioner is that in spite of his eligibility and recommendation made by the 4th respondent, the 3rd respondent has not passed any orders appointing him as fair price shop dealer on compassionate grounds.

4. 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 Shop No.8, Kotaguddam Village, Kambadur Mandal, Anantapuram District, in terms of G.O.Ms.No.4 dated 28.02.2014, 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: 27.02.2015
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HON'BLE SRI JUSTICE R.KANTHA RAO

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Date: 27.02.2015

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