

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 36375 OF 2015

DATED 7TH November, 2015

BETWEEN

Rakindi Sudhakar

...Petitioner

And

The State of Andhra Pradesh,

Rep. by its Principal Secretary to Government,

Consumer Affairs, Food and Civil Supplies Department,

Secretariat, Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 36375 OF 2015

ORDER:

This Writ Petition is filed seeking a Writ of Mandamus declaring the action of respondents in not considering the case of the petitioner for appointment as Fair Price Shop Dealer for Shop No. 42 of Gunduvari Lakshmi

Puram Village, Chimakurthy Mandal, Prakasam District as illegal and arbitrary and contrary to guidelines issued in G.O.Ms.No.4, dated 28.02.2014, and, consequential direction to the respondents to appoint the petitioner as Fair Price Shop Dealer for the aforesaid fair price shop.

The averments made in the affidavit would disclose that the father of the petitioner was appointed as Fair Price Shop Dealer for Shop No. 42 Gunduvari Lakshmi Puram Village, Chimakurthy Mandal, Prakasam District and he passed away on 6.11.2012. Thereafter, no fair price shop dealer was appointed on permanent basis. While the things stood thus, the petitioner made an application to the second and third respondents on 02.07.2014 to consider his case for appointment as Fair Price Shop Dealer for the aforesaid shop. Further the petitioner submits that para 6 of G.O.Ms.No. 4, Consumer Affairs, Food and Civil Supplies (CS.1) Department, dated 28.02.2014 stipulates certain conditions for appointment of legal heirs of deceased Fair Price Shop Dealers. Clause 6.(i) & (iii) of the said G.O. entitled the petitioner to be appointed as Fair Price Shop Dealer as the petitioner's father died on 6.11.2012. Within the parameters prescribed in Clause 6. (i) & (iii) of the said GO, the relief sought for by the petitioner is, to consider and dispose of his application dated 02.07.2014 in terms of G.O.Ms.No. 4, dated 28.2.2014.

The learned Government appearing for the respondents does not have any objection for issuance of directions to the respondents to consider the application of the petitioner in terms of G.O.Ms.No.4, dated 28.2.2014.

In the circumstances, the Writ Petition is disposed of at the admission stage directing the respondent authorities to consider the application of the petitioner dated 02.07.2014 for appointment as Fair Price Shop Dealer to the aforesaid fair price shop in terms of G.O.Ms.No. 4, dated 28.2.2014 and dispose of the same within a period of eight weeks from the date of receipt of a copy of this order.

Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in the light of this final order. No order as to costs.

JUSTICE CHALLA KODANDA RAM

DATED 7TH NOVEMBER, 2015.

Msnr_x