

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.998 of 2015

ORDER:

Heard learned counsel appearing for the petitioner and learned Government Pleader for Civil Supplies appearing for respondents 1 to 3.

This Writ Petition is filed seeking to declare the action of the 2nd respondent in not appointing the petitioner as fair price shop dealer of Shop No.746, Edulavalasa Village, Polaki Mandal, Srikakulam District, based on the recommendation & report of the 3rd respondent, as arbitrary and illegal.

The father of the petitioner was appointed as permanent fair price shop dealer of Edulavasala Village, Polaki Mandal in 1980 and continued as such and died on 18.03.2012 leaving behind his wife and three children. After the death of the father of the petitioner, in-charge arrangements were made and the neighbouring dealer has been distributing the commodities to the card holders. 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.

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, 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 2nd and 3rd 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 after conducting enquiry submitted a report to the 2nd respondent recommending the name of the petitioner as fair price shop dealer on compassionate grounds in terms of G.O.Ms.No.4.

The grievance of the petitioner is that in spite of his eligibility and recommendation made by the 3rd respondent, the 2nd respondent has not passed any orders appointing him as fair price shop dealer on compassionate grounds.

In view of the same, the 2nd respondent is directed to consider the application of the petitioner

as fair price shop dealer on compassionate grounds for shop No.746, Edulavalasa Village Polaki Mandal, Srikakulam District, in terms of G.O.Ms.No.4, dated 1.8.2014, subject to the petitioner satisfying the conditions stipulated in the said G.O.

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
rkk