

HON'BLE SRI JUSTICE R.KANTHA RAO

Writ Petition No.3200 of 2015

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Date: 18-02-2015

Between

Mohamed Azas

... Petitioner

and

The State of Telangana,
Rep. by its Prl. Secretary,
Consumer Affairs, Food &
Civil Supplies Dept. (CS-I),
Secretariat, Hyderabad;
and 3 others

... Respondents

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Order:

Heard Sri S.Madan Mohan Rao, learned counsel appearing for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents.

2. The petitioner's mother Smt. Mohammed Rabiya Begum was granted licence for sale of kerosene by hawker under Licence No.43/86, dated 12-01-1993, was

authorised to purchase, store and carry kerosene for the purpose of sale as a hawker within the area of fair price shop of Ramavaram-51 area by the 4th respondent. While holding the said licence, she died on 12-4-2014 leaving behind the petitioner and his two sisters Mohammed Baby and Mohammed Yakubunnisa as her legal heirs. The 1st respondent issued G.O.Ms.No.4, dated

28-02-2014, entitling the legal heirs to succeed the deceased fair price shop dealers on compassionate grounds and to be appointed in their place.

The petitioner therefore claims that under Clause 5 of A.P. State Public Distribution System (Control) Order, 2008, he is entitled to be considered as authorised licensed kerosene hawker on compassionate grounds in the place of his mother who worked as a hawker under a licence issued to her till her death.

3. The petitioner made an application to the 4th respondent to consider his name as licensed authorised kerosene hawker in terms of G.O.Ms.No.4, dated 28-02-2014, issued by the 1st respondent.

The said application is pending with the 4th respondent. The petitioner submits that his two sisters have no objection to appoint him as hawker on compassionate grounds in the place of their mother.

4. In the circumstances, the writ petition is disposed of directing the respondents to consider the application made by the petitioner whereunder he sought for appointment as kerosene hawker on compassionate grounds in terms of G.O.Ms.No.4, dated 28-02-2014, on the petitioner satisfying the conditions mentioned in the said G.O., within a period of 8 (eight) weeks from the date of receipt of a copy of this order. The miscellaneous petitions, if any, pending in this writ petition shall stand closed. No costs.

R.KANTHA RAO, J.

18th February, 2015.
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HON'BLE SRI JUSTICE R.KANTHA RAO

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