

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.37751 of 2014

ORDER:

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Civil Supplies. The Writ Petition is being disposed of at the stage of admission with the consent of parties.

The case of the petitioner is that his father worked as fair price shop dealer of shop No.46, Ward No.13 of Sullurpet Village and Mandal, SPSR Nellore District, and he died on 16.05.2012 due to ill-health leaving behind himself, his mother and a married sister. While so, the government issued G.O.Ms.No.4 dated 28.02.2014 to consider the cases of the legal heirs of the deceased fair price shop dealers on compassionate grounds. The mother of the petitioner submitted an application on 01.08.2014 to the second respondent for appointment on compassionate grounds in terms of the above G.O. The third respondent called for a report from the Revenue Inspector and, after satisfying himself about the antecedents of the petitioner's mother, an endorsement dated 20.10.2014 was issued by the second respondent stating that, in view of the circular dated 09.09.2014, issued by the Commissioner of Civil Supplies, appointment under compassionate grounds could not be taken up.

Learned counsel for the petitioner submits that, after the endorsement dated 20.10.2014, the government issued a memo dated 29.11.2014 stating that appointment of fair price shop dealers on compassionate grounds to the deceased legal heirs is revived.

Since ban on appointment of fair price shop dealers on compassionate grounds was lifted, the second respondent is at liberty to consider the applications seeking appointment of dealers on compassionate grounds. In view of the same, the endorsement dated 20.10.2014 issued by the second respondent is liable to be set aside and is, accordingly, set aside. The second respondent is directed to consider the application of the petitioner for appointment on compassionate grounds in accordance with law for the vacancy caused by the death of the father of the petitioner in respect of shop No.46, Ward No.13 of Sullurpet Village and Mandal or any other shop.

The Writ Petition is, accordingly, allowed.

Miscellaneous petitions, if any, pending in this writ petition shall stand disposed. No order as to costs.

A. RAMALINGESWARA RAO,J

Date:04.06.2015

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