

HON'BLE SRI JUSTICE R.KANTHA RAO

WRIT PETITION No.4266 of 2015

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ORDER:

Heard Sri V.Sudhakar Reddy, 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 2nd respondent in not issuing orders appointing the petitioner as F.P. Shop Dealer of Jilledu Makivalasa Village, Shop No.727, Polaki Mandal, SriKakulam District, based on the recommendation and report of the 3rd respondent, as arbitrary and illegal.

3. The father of the petitioner was appointed as permanent fair price shop dealer of Jilledu Makivalasa Village, Shop No.727, Polaki Mandal, Srikakulam district in 1988 and continued as such and he died on 19.09.2013 leaving behind his 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 cardholders. 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 to 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, dated 28-02-2014.

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.

5. 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.727, Jilledu Makivalasa Village, Polaki Mandal, Srikakulam 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.

6. 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: 25.02.2015
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HON'BLE SRI JUSTICE R.KANTHA RAO

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Writ Petition No.4266 of 2015

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Date: 25.02.2015

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