

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION NO.29928 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to issue writ of mandamus declaring the action of the respondents 4 and 5 in not renewing the licence of the petitioner bearing No.312/2008-13 as commission agent as illegal and arbitrary.

2. Heard Sri A.K.Kishore Reddy, learned counsel for the petitioner and Sri C.H.Srinivas, learned standing counsel for the respondents 4 and 5.

3. A perusal of the record reveals that respondent Nos. 4 and 5 granted licence in favour of the petitioner's firm for a period of five years i.e., from 01-04-2008 to 31-03-2013 and allotted a plot in the market yard to carry on chillies business. The petitioner submitted an application way back in the year 2013 for renewal of the licence. For one reason or other, respondents 4 and 5 have not renewed the licence of the petitioner.

4. At the time of arguments, learned counsel for both the parties, in one voice, submitted that the issue involved in this writ petition is squarely covered by the common order, dated 20-11-2015 of this Court in W.P.No.36804 of 2015 and batch and that this writ petition may be disposed of in terms of the said common order.

5. Having regard to the facts and circumstances of the case and in view of the submissions made by the learned counsel for both the parties, the 4th respondent is hereby directed to consider the petitioner's application for renewal of commission agent licence without reference to the G.O.Ms.No.57, Agricultural & Co-operation (AM-II)

Department, dated 12-10-2015, but by applying the norms in G.O.Ms.No.190, Agriculture and Co-operation (MKTG-I) Department, dated 06-04-1994 and communicate its decision to the petitioner within four (4) weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

T.SUNIL CHOWDARY, J

DATED: 06-09-2016

Hsd

