HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION Nos.25082, 25298, 25458, 30744
34821, 34824 of 2011,
22, 2034, 3956, 4044, 4612,
4620, 4809, 5260, 5278, 5279,
5280, 5339, 5342, 5589,
5979, 6213, 6430, 6571, 6717,
7337, 7438, 23621, and
24230 of 2012

COMMON ORDER:

In all these Writ Petitions, it is the case of the petitioners that their father/mother was appointed as Fair Price Shop Dealer in the respective areas for distribution of the essential commodities in terms of the Andhra Pradesh State Public Distribution System (Control) Order, 2008. On demise of their parents who were the Fair Price Shop Dealers, the petitioners made individual representations seeking to continue/appoint them as Fair Price Shop Dealers in the place of their deceased parents. The Fair Price Shop Dealers Welfare Association has also made a representation to the Honourable the Chief Minister and concerned Honourable Cabinet Minister. Pursuant to the same, an assurance was given to the petitioners for consideration of the representation of the aforesaid Association positively. In fact they came to know that a High Level Committee was appointed, which made a recommendation to the Government to consider the cases of the petitioners for their appointment as Fair Price Shop Dealers on compassionate grounds.

All these Writ Petitions were admitted by this Court. Today when these matters are listed for hearing, the learned Government Pleader for Civil Supplies (Telangana) placed on record G.O.Ms.No.4, Consumer Affairs, Food and Civil Supplies (CS-1) Department, dated 28.02.2014 wherein certain guidelines have been formulated for appointment of the legal heirs of the deceased Fair Price Shop Dealers as Fair Price Shop Dealers on compassionate grounds.

In respect of some of the Writ Petitions, the learned Counsel appearing for the petitioners therein submit that the cases of their clients for appointment/continuation as Fair Price Shop Dealer for distribution of the essential commodities in terms of the Andhra Pradesh State Public Distribution System (Control) Order, 2008 were considered and the petitioners therein were appointed as Fair Price Shop Dealers in terms of G.O.Ms.No.4, dated 28.02.2014. However, in respect of other Writ Petitions, the learned Counsel appearing for the petitioner therein submit that in view of long lapse of time, they do not have specific instructions in their matters and as such they sought time. However this Court disinclined to grant further time as these Writ Petitions are pending adjudication since long time. It is also brought to the notice of this Court that the cases of similarly situated persons have already been considered and they were appointed as Fair Price Shop Dealers in terms of G.O.Ms.No.4, dated 28.02.2014. The learned Government Pleaders for Civil Supplies (Telangana and AP) do not oppose the same.

In the circumstances stated hereinabove, these Writ

Petitions are disposed of directing the respondents to consider the cases of the petitioners, if not already considered, subject to their eligibility for appointment as Fair Price Shop Dealer in terms of G.O.Ms.No.4, dated 28.02.2014 and any other subsequent instructions/circulars issued by the competent authority in regard thereto.

The Writ Petitions are accordingly disposed of. Miscellaneous petitions pending consideration if any in the Writ Petitions shall stand closed in consequence. No order as to costs.

JUSTICE CHALLA KODANDA RAM

DATED 9TH February, 2016.
Msnrx