

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 9218 of 2016

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader.

2. Petitioner is the wife of late D.Nageswara Rao, who died on 05.08.2010 and who was the fair price shop authorized dealer for a fair price shop No.37(15A), Tatiparthy Village, Pithapuram Mandal, East Godavari District. After the death of her husband, petitioner was appointed as a fair price shop dealer on the recommendation of the Tahsildar, vide his proceedings dated 01.02.2014 and even as on date she is continuing as such. Having come to know that a new person is sought to be appointed in her place, petitioner made a representation on 05.12.2013 seeking renewal of the authorization which was granted in her husband's name, which was in fact recommended by the Tahsildar on 01.02.2014.

3. It is not in dispute that G.O.Ms.No.4, F & CS (CS-1) Department, dated 28.02.2014, had been issued by the Government of Andhra Pradesh providing an opportunity to the deceased legal heirs of an erstwhile fair price shop dealers to be considered for appointment of the fair price shop dealership in place of the deceased dealer. Learned Government Pleader also not disputed the same.

4. In that view of the matter, subject to the eligibility and subject to the conditions being fulfilled by the petitioner, the petitioner's case is required to be considered in terms of the

aforestated GO.

5. The Writ Petition is accordingly disposed of with a direction to the third respondent to consider the case of the petitioner for appointment as a fair price shop dealer in terms of G.O.Ms.No.4, F & CS (CS-1) Department dated 28.02.2014. Petitioner shall make an application within two weeks from the date of receipt of a copy of the order and within four weeks thereafter, the third respondent shall complete passing of appropriate orders in accordance with law.

Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

**JUSTICE CHALLA
KODANDA RAM**

March 22, 2016

LMV