

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.9068 of 2016

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Between:

T. Sathish

PETITIONER

AND

1. The State of Telangana, rep. by its Secretary, Civil Supplies Department, Secretariat Buildings, Hyderabad, and others.

RESPONDENTS

ORDER:

This Writ Petition is filed seeking a Writ of Mandamus declaring the action of 2nd respondent-The Business Manager, Orugallu District Co-operative Marketing Society Ltd., Warangal in not considering the case of the petitioner for appointment as Fair Price Shop Dealer for Shop No. 41 of Kumar Pally (Reddy Colony), Hanamkonda, Warangal District, as illegal and arbitrary and contrary to guidelines issued in G.O.Ms.No.4, dated 28.02.2014, and, consequential direction to the respondents to appoint the petitioner as Fair Price Shop Dealer for the aforesaid fair price shop.

The averments made in the affidavit would disclose that the father of the petitioner was appointed as Fair Price Shop Dealer for Shop No. 41 of Kumar Pally (Reddy Colony), Hanamkonda, and he died on 13.08.2015. Thereafter, no fair price shop dealer was appointed to the said shop on permanent basis. While the things stood thus, the petitioner's mother made applications to the 2nd respondent and to the District Collector, Warangal, on 25.08.2016 and 30.01.2016 respectively to consider either the petitioner or his brother for appointment as Fair Price Shop Dealer for the aforesaid shop. Further the petitioner submits that para 6 of G.O.Ms.No.4, Consumer Affairs, Food and Civil Supplies (CS.1) Department, dated 28.02.2014 stipulates certain conditions for appointment of legal heirs of deceased Fair Price Shop Dealers. Clause 6.(i) & (iii) of the said G.O. entitled the petitioner to be appointed as Fair Price Shop Dealer as the petitioner's father died on 13.08.2015. Within the parameters prescribed in Clause 6. (i) & (iii) of the said GO, the relief sought for by the petitioner is, to consider and dispose of the applications dated 25.08.2016 and 30.01.2016 submitted by the petitioner's mother in terms of G.O.Ms.No.4, dated 28.2.2014.

The learned Government Pleader appearing for the respondents does not have any objection for issuance of direction to the respondents to consider the application of the petitioner in terms of G.O.Ms.No.4, dated 28.2.2014.

In the circumstances, the Writ Petition is disposed of at the admission stage directing the respondent authorities to consider the representations submitted by the petitioner's mother dated 25.08.2016 and 30.01.2016 for appointment of either the petitioner or his brother as Fair Price Shop Dealer to the aforesaid fair price shop in terms of G.O.Ms.No.4, dated 28.2.2014 and dispose of the same within a period of eight weeks from the date of receipt of a copy of this order.

Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed. No order as to costs.

JUSTICE CHALLA KODANDA RAM

21st March, 2016.

Js