

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM
WRIT PETITION No.11445 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

It is the claim of the petitioner that his mother was the fair price shop dealer in respect of F.P.Shop No.33 situated at Chitimireddygaripalle, Mulakalacheruvu Mandal, Madanepalle Division, Chittoor District, and she died on 29.11.2011. At the time of death of petitioner's mother, petitioner and his brother were minors. After the death of petitioner's mother, Fair Price Shop No.33 was attached to Fair Price Shop No.11 and the same situation continued till recently. When a notification calling for appointment of Fair Price Shop Dealer was issued on 07.03.2016, petitioner being eligible, applied to be selected as a dealer. Petitioner contends that he is entitled to appointment as a fair price shop dealer in view of G.O.Ms.No.4 dated 28.02.2014 wherein a provision has been made for appointment of legal heirs of the deceased fair price shop dealer. Thus, it is contended that in all respects, petitioner is qualified and eligible to be appointed as a fair price shop dealer.

The learned Government Pleader appearing for the respondents does not have any objection about preferential treatment that required to be given to the legal heir of a deceased-fair price shop dealer. However, the learned Government Pleader submits that after the notification, a written examination was conducted and interviews were also held and it is not clear whether the petitioner had made a claim of preferential treatment referring to G.O.Ms.No.4.

Having considered the respective submissions and having

perused the documents, one thing is clear that preferential treatment is required to be given to the legal heirs of the deceased fair price shop dealers in view of G.O.Ms.No.4. Though the learned counsel for the petitioner asserts that the petitioner had in fact claimed preferential treatment to be given under G.O.Ms.No.4, the same is required to be looked into by the respondent authorities. In that view of the matter, subject to the condition of the petitioner having made a claim under G.O.Ms.No.4, the case of the petitioner shall be considered and dealt with by specific reference to the preferential treatment in G.O.Ms.No.4.

Subject to above, the Writ Petition is disposed of. In view of disposal of the main writ petition, miscellaneous petitions pending in the writ petition, if any, shall stand closed.

Challa Kodanda Ram, J

11th April, 2016.

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