

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.36218 of 2016

ORDER:

Petitioner complains against the action of third respondent in issuing notification dated 12.09.2016, not considering and disposing of representation dated 30.09.2016 as illegal, arbitrary and contrary to G.O.Ms.No.4 Consumer Affairs, Food and Civil Supplies (CS-1) Department dated 28.02.2014.

2. The case of the petitioner is that petitioner's husband was authorized dealer of fair price shop No.25 in Srungavaram village. On 16.05.2015, it is averred, petitioner's husband died. According to the petitioner, she has been representing for considering her case for appointment as fair price shop dealer, the latest representation was made on 30.09.2016 for consideration in terms of G.O.Ms.No.4 dated 28.02.2014. The representation is not disposed of as on date and issuing of notification dated 12.09.2016 is arbitrary and unconstitutional. Hence, the writ petition.

3. Learned Assistant Government Pleader, on instructions, submits that the respondents, in fact, are considering the cases of eligible candidates for appointment as fair price shop dealer subject to the candidates satisfying the eligibility criteria. He submits that the representation of the petitioner will be considered and disposed of.

4. The Court is satisfied that the writ petition can be ordered by directing respondents to consider and dispose of petitioner's

representation dated 30.09.2016 for appointment as fair price shop dealer of the subject shop keeping in view the order of this Court in WP.No.24816 of 2015 dated 02.11.2015 within six (6) weeks from the date of receipt of copy of this order. The respondents are further directed not to make permanent arrangement till a decision is taken and communicated to the petitioner. As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

October 31, 2016  
DSK

S. V. BHATT, J

