

HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.4108 of 2017

ORDER.

The Writ Petition is filed for the following relief:

“ to issue writ or order or direction more particularly in the nature of Writ of Mandamus declaring the action of the 5th respondent in not renewing the licence bearing No.CA/147/2008-2013 as commission agent insisting upon fulfillment of the conditions as laid down in G.O.Ms.No.57, Agriculture & Co-operation, dt.12-10-2015 by issuing common notice dt.30-10-2015 in Rc.No.384/2015 as illegal, arbitrary, irrational, non-application of mind and in violation of Articles-4, 19 (1) (g) and 21 of the Constitution of India and openly run in conflict with G.O.Ms.No.64, Agricultural and Co-Operation Department dt.11-6-2013 and runs in defiance of the Memo, dt 21-3-2014 issued in 13631/ AMTV/ 2013 and stultifies/derogates the operation of Sec.7(1)and 7(1- B) of A.P.(A.P.&L.S.)Markets Act,1966 as amended by Act.14 of 2015 and defeats the very purport of Rule-50(2) of A.P.(A.P.&L.S)Market Rules, 1969 and consequently, to direct respondent No. 5 to renew the licence of the petitioner firm bearing No.CA/147/2008-2013, in terms of G.O.M.S.No.64. Agriculture and Co-Operation Department, dt.11-6-2013 and the Memo dt.21-3-2014 issued by respondent No.1 in 13631/AM-IV/2013 and issue the licence in Form-8 in favour of the petitioner firm and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interests of Justice.”

Heard learned counsel for the petitioner, learned Government Pleader for Agriculture (Andhra Pradesh) appearing for respondent Nos.1 to 3 and Mr. Ch.Srinivas, learned Standing Counsel for respondent No.5.

When the matter is taken up, it is submitted by the learned counsel for the petitioner so also the learned Standing Counsel for respondent No.5 that the issue in the present Writ Petition is squarely covered by the order, dated 02.12.2015, of this Court passed in Writ Petition No.39011 of 2015.

In view of the same, this Writ Petition is also allowed in terms of the afore-mentioned order with the direction that the reasons and directions contained therein shall form part of this order.

Miscellaneous Petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

JUSTICE A.V.SESHA SAI

07th February, 2017

DR