

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.42287 OF 2017

ORDER:

This petition is filed for the following relief:

“ ... to issue Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 5th respondent in not granting/renewing the licence bearing No.CA/211/2008-2013 for the period 2013-18 as commission agent insisting upon fulfilment of the conditions as laid down in G.O.Ms.No.57, Agriculture & Co-operation, dated 12.10.2015 by issuing common notice dated 30.10.2015 in Rc.No.384/2015 is illegal, arbitrary, irrational and non-application of mind and in violation of Art.14, 19(1)(g) and 21 of the Constitution of India and openly derogates and run in conflict with G.O.Ms.No.64, Agrl.&Co-operation Department dated 11.06.2013 and defeated the very purport of pre-existed Rule 48(5) of A.P.(A.P&L.S) Market Rules, 1969 and set aside the common notice dated 30.10.2015 and consequently direct the respondent No.5 to grant/renew the licence of the petitioner firm bearing No.CA/211/2008-2013 for the period 2013-18, in terms of G.O.Ms.No.190, dt.06.04.94, by enforcing G.O.Ms.No.64, Agriculture and Co-operation Department dt.11.06.2013 and Memo dt.21.03.2014 and pass such other order or orders as this Hon’ble Court may deem fit and proper...”

Heard learned counsel for the petitioner, who submits that the ‘lis’ in the writ petition is squarely covered by the

order dated 02.12.2015 passed by this Court in WP.No.39011 of 2015 and the same is not disputed by Sri Ch.Srinivas, learned Standing Counsel for respondents 4 & 5.

Recording the aforesaid submission of the learned counsel and the reasons alike in that writ petition, this writ petition is allowed directing the 5th respondent to consider the petitioner's application for grant of commission agent's license and pass appropriate orders without reference to G.O.Ms.No.57, Agriculture and Cooperation (AM-II) Department, dated 12.10.2015, but, by applying the norms in G.O.Ms.No.190, Agriculture and Cooperation (MKTG.I) Department, dated 06.04.1994, and communicate the decision to the petitioner within two weeks from the date of receipt of a copy of this order. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

13.12.2017
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