

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.44202 OF 2017

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents 2 to 5 in not considering the petitioner's application submitted in Form - 5 for grant of commission agent license inspite of receiving the license fee as well as penalty as illegal, arbitrary, contrary to Article 14, 19 (1) (g) and 21 of Constitution of India, violation of the 1st respondent proceedings dated 21.3.2014 and 29.5.2014 and contrary to the Section 7(1) & Rule 48 (5) of the A.P (Agricultural Produce &Live Stock) Markets Act, 1966 and Rules, 1969 and consequently direct the respondents to grant commission agent license in Form - 8 in favour of the petitioner without reference to G.O.Ms.No.57, dated 12.10.2015 and to pass.”

2. Heard learned counsel for the petitioners, 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 and 5.

3. Recording the said submission of the learned counsel and the reasons alike in that writ petition, this writ petition is

allowed directing the 4th respondent to consider the petitioners 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 petitioners within two weeks from the date of receipt of a copy of this order. No order as to costs.

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

A.RAJASHEKER REDDY, J

26.12.2017
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