

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.1174 of 2018

ORDER:

This Writ Petition is filed for the following relief:

“For the reasons stated in the accompanying affidavit filed in support of the Writ Petition, it is prayed that this Hon’ble Court may be pleased 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 granting/renewing the license bearing No.CA/43/2008-13 for the period 2013-18 as commission agent insisting upon fulfillment of the conditions as laid down in G.O.Ms.No.57, Agriculture & Cooperation, dt. 12.10.2015 by issuing common notice dt. 30.10.2015 in Rc.No.384/2015 is illegal, arbitrary, irrational and non-application of mind and in violation of Articles 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. & Cooperation Department dt. 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 dt. 30.10.2015 and consequently direct the respondent No.5 to grant/renew the license of the petitioner firm bearing No.CA/43/2008-13, 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 Cooperation Department, dt. 11.06.2013 and Memo dt. 21.03.2014.”

It is submitted by the learned counsel for the petitioner as well as 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 passed by this Court in Writ Petition No.39011 of 2015, and the said order is placed on record.

In those circumstances, this Writ Petition is allowed directing the fifth 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.

Miscellaneous Petitions, if any pending shall stand disposed of. There shall be no order as to costs.

18th JANUARY, 2018.

kvni

CHALLA KODANDA RAM, J

