

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.1321 OF 2018

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking 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 4th and 5th respondents in not granting/renewing a license of the petitioner’s firm bearing License No.395/2008-13, as a commission agent insisting that the conditions with respect to security deposits be fulfilled as laid down in G.O.Ms.No.57, Agricultural and Co-operation (AM-II) Department, dated 12.10.2015, violating the Rule 50(2) of AP (Produce and Livestock) Market Rules, 1969 is illegal, arbitrary and against the principle of natural justice and also violating Article 14 of the Constitution of India.”

2. Heard learned counsel for the petitioner, who submits order, dated 02.12.2015, passed by this Court in W.P.No.39011 of 2015 and the same is not disputed by Sri Ch.Srinivas, learned Standing Counsel for respondent Nos.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 fifth respondent to consider the petitioner’s application for grant/renewal 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 (2) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

4. Miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE A.V.SESHA SAI

Date : 27.03.2018
AMD



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