

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.1083 of 2012

ORDER:

The relief sought for in the Writ Petition is to declare the action of the 3rd respondent (The Tahsildar, Mancherial Mandal, Adilabad District) in contemplating to renew the Kerosene hawker licences of respondents 4 to 10 as illegal and contrary to the provisions of the Andhra Pradesh Public Distribution System (Control Order), 2008; consequently to direct the Tahsildar not to renew their licenses and further direct the Tahsildar to allot kerosene distribution to the respective fair price shop dealers.

In its interlocutory order, in W.P.M.P. No. 1337 of 2012 dated 19.1.2012, this Court observed that, since kerosene was an essential commodity and is mostly in demand in semi urban/rural areas, both as cooking fuel and also for the purpose of securing lighting, the balance of convenience did not lie in favour of respondents 4 to 10; and, instead, ends of justice would be adequately met if the applications of the petitioners, for sale of kerosene, was also considered by respondents 1 to 3. Respondents 1 to 3 were directed to consider the petitioners' applications for sale of kerosene, pending further orders.

Since the conditional order passed by this Court on 16.4.2015 had not been complied with, the Writ Petition was subsequently dismissed for default in so far as respondents 9 and 10 are concerned. The Writ Petition, therefore, necessitates adjudication only in respect of respondents 1 to 8.

As a result of the interim order passed by this Court, the kerosene licence of respondents 4 to 8 must have been renewed, and the petitioners representation, for grant of kerosene hawkership, must have been considered by now. This Court has adequately safeguarded

the interest of the petitioners by directing the official respondents to consider their applications. As the licence of respondents 4 to 8 must have been renewed by now, and the petitioners representation must also has been considered, it is evident that the cause in the Writ Petition does not survive necessitating any further adjudication by this Court.

The Writ Petition has become infructuous and is, accordingly, dismissed. Miscellaneous petitions, pending, if any, shall also stand dismissed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

2nd May, 2018

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