

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.7680 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 respondents 2 to 5 in not considering the petitioner’s application submitted in Form-5 for grant of commission agent licence 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) and 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 licence in Form-8 in favour of the petitioner without reference to G.O.Ms.No.57, dated 12.10.2015.”

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 fourth 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 (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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