

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.9589 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) & 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. It is submitted by the learned counsel for the petitioner as well as the learned Standing Counsel for respondent No.4 that the issue in the present writ petition is squarely covered by the order, dated 18.01.2018, passed by this Court in Writ Petition No.1174 of 2018, and the said order is placed on record.

3. In those circumstances, 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 : 22.03.2018
AMD



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AMD