

**THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

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**WRIT PETITION No.44 of 2015**

**ORDER:**

Heard the learned Counsel for the petitioner and the learned Government Pleader for the respondents and perused the affidavit and counter affidavit filed by the parties.

It is the case of the petitioner that her mother, who was the original fair price shop dealer of Shop No.19 of Mandamarri Town in Adilabad District, expired on 18.12.2009 due to kidney failure. The petitioner completed intermediate course and belongs to SC community. She submitted an application to the second respondent on 18.05.2014 to appoint her in the place of her mother as per the provisions of G.O.Ms.No.4, dated 28.02.2014. The said application was followed by another application dated 17.11.2014. When those applications were not considered, the present Writ Petition was filed.

In the present Writ Petition, when the respondents were taking steps for appointment of a permanent dealer in the vacancy, this Court, by order dated 07.01.2015, directed the respondents not to fill up the vacancy, while directing the second respondent to dispose of the representations filed by the petitioner.

Now a counter affidavit is filed stating that the petitioner did not apply for the appointment in the vacancy caused by the death of her mother. Learned Counsel for the petitioner brought to the notice of this Court the applications filed by the petitioner on 18.05.2014 and 17.11.2014, copies of which were filed along with the Writ Petition.

In the circumstances, this Court is satisfied that applications were filed by the petitioner for consideration of her appointment in the vacancy caused by the

death of her mother. In view of the same, this Writ Petition is disposed of directing the second respondent to consider the case of the petitioner for appointment as fair price shop dealer in the vacancy caused by the death of her mother in pursuance of the instructions contained in G.O.Ms.No.4, dated 28.02.2014, if she is otherwise eligible. Till consideration of the applications of the petitioner, the second respondent shall not take any steps for appointment in the vacancy in respect of Shop No.19 of Mandamarri Town in Adilabad District.

The Writ Petition is disposed of accordingly. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

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**(A.RAMALINGESWARA RAO, J)**

03.06.2015

vs

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