HC-KAR

IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 7TH DAY OF JULY 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 105066 OF 2024 (GM-PDS)

BETWEEN:

AMARNATH S/O. LAXMAN MUNDGOD,
AGE: 46 YEARS, OCC: PRIVATE SERVICE,
R/O. BELAGALI, TQ: MUDHOL, DIST: BAGALKOT-587113.

...PETITIONER

(BY SRI. V.P. VADAVI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
   DEPARTMENT OF FOOD AND CIVIL SUPPLIES,
   BY ITS UNDER SECRETARY,
   VIDHAN SOUDHA, BENGALURU-560001.

2. DEPUTY COMMISSIONER,
   FOOD, CIVIL SUPPLIES AND CONSUMER
   AFFAIRS DEPARTMENT, GADAG-582101.

3. DEPUTY DIRECTOR,
   FOOD AND CIVIL SUPPLY,
   GADAG, DIST: GADAG-582101.

4. THE TAHASILDAR,
   GADAG, DIST: GADAG-582101.

...RESPONDENTS

(BY SRI. SHARAD V. MAGADUM, AGA)

Digitally signed by MOHANKUMAR B SHELAR
Location: HIGH COURT OF KARNATAKA

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENT AUTHORITIES TO CONSIDER THE REPRESENTATION VIDE (ANNEXURE-G) DATED 04/03/2024 AND ALLOT THE FAIR PRICE SHOP AT CHIKKAVADDATTI VILLAGE, DIST: GADAG TO THE PETITIONER ON COMPASSIONATE GROUNDS BY INCLUDING 'FOOD GRAINS' IN THE AUTHORIZATION LETTER, AND CONSEQUENTLY ALLOW THE PETITION, IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

ORAL ORDER

(PER: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM)

Learned Additional Government Advocate, appearing for the respondents, submits that the petitioner's father was originally granted a licence for the supply of kerosene. He further submits that, subsequent to the petitioner's representation, the State has issued a fresh notification prescribing revised eligibility criteria and conditions governing the grant and continuation of such licences. It is, therefore, contended that the petitioner's request for grant of a fair price shop on compassionate grounds has to be examined in the light of the revised policy and the prevailing statutory framework.

2. Having heard the learned counsel appearing for the parties and on perusal of the material placed on record, this Court finds that the petitioner's representation dated 04.03.2024 has remained unattended for an inordinately long period. Such unexplained inaction on the part of respondent No.3 cannot be countenanced, particularly when a representation seeking consideration on compassionate

grounds is pending before the competent authority. Though the conduct of respondent No.3 would ordinarily justify the imposition of exemplary costs, this Court refrains from doing so in view of the fair submission made by the learned Additional Government Advocate that the petitioner's representation shall be considered expeditiously and in strict conformity with the applicable statutory provisions as well as the fresh notification issued by the State Government. In that view of the matter, no further adjudication on the merits of the petitioner's claim is warranted, and the writ petition deserves to be disposed of with appropriate directions.

ORDER

(i) The writ petition stands disposed of.

(ii) Respondent No.3 is directed to consider and dispose of the petitioner's representation dated 04.03.2024, strictly in accordance with law and in the light of the notification presently governing the field, by passing a reasoned and speaking order.

(iii) The decision so taken shall be communicated to the petitioner within a period of six weeks from the date of receipt of a certified copy of this order.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE

MBS
CT-MCK
List No.: 1 Sl No.: 7