

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE NINTH DAY OF JANUARY,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE MS JUSTICE B S BHANUMATHI

IA No. 1 OF 2025

IN

WP NO: 395 OF 2025



Between:

A.Nagamma, W/o. Garajanna, Aged about 51 years, Occ: Dealer, F.P.
Shop No. 1351024, R/o. H.No. 3/103, Devanabanda Village, Pattikonda
Mandal, Kurnool District, A.P.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Civil Supplies Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Joint Collector, Kurnool, Kurnool District.
3. The Revenue Divisional Officer, Pattikonda, Kurnool District.
4. The Tahsildar, Pattikonda Mandal, Kurnool District.

...Respondents

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the proceedings vide Rc. M. 4581/2016, dated: 30.12.2024 issued by the Respondent No.3 and direct the Respondents 3 to release Essential Commodities and to allow the petitioner to function as Fair Price Shop Dealer of F.P. No. 1351024 of Devanabanda Village, Pattikonda Mandal, Kurnool District by regularly supplying essential commodities, pending disposal of WP No. 395 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Bugulu Sreeteja, Advocate for the Petitioner and of GP FOR CIVIL SUPPLIES for Respondent Nos. 1, 2, 4 and of GP FOR REVENUE for Respondent No.3,

The Court made the following

ORDER:

“This application is filed to suspend the proceedings vide Rc.M.4581/2016, dated 30.12.2024 issued by the respondent No.3 and direct the respondents to release the essential commodities and to allow the petitioner to function as dealer for fair price shop No.1351024 of Devanabanda Village, Pattikonda Mandal, Kurnool District by regularly supplying essential commodities pending disposal of the above writ petition.

In continuation of the submissions made on 08.01.2025, the learned Assistant Government Pleader for Civil Supplies placed on record the copy of G.O.Ms.No.198.F, CS & CA (CS.IV) Dept., dated 05.02.1996, as per which, Clause 5 states the minimum general education qualification for a dealer is a pass in 7th class.

As such, the ground take that no educational qualification was required at the time of the appointment as dealer in 1998 falls to ground.

The other point made by the learned counsel for the petitioner on the previous day of hearing is that the documents relied by the authority during enquiry were not provided to the petitioner, for which, there is no answer from the respondents.

It is minimum requirement in any enquiry to supply copies of documents to the person likely to be effected by the order which is passed on such documents. As such, the petitioner could establish *prima facie* case in his favour to secure the interim order.

Accordingly, interim suspension as prayed for is granted till
03.02.2025."

//TRUE COPY//

SD/- M.SRINIVAS
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Civil Supplies Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.(BY **SPECIAL MESSENGER**)
2. The Joint Collector, Kurnool, Kurnool District.
3. The Revenue Divisional Officer, Pattikonda, Kurnool District.
4. The Tahsildar, Pattikonda Mandal, Kurnool District. (Addressee Nos. 2 to 4 By RPAD)
5. One CC to SRI BUGULU SREETEJA, Advocate [OPUC]
6. Two CCs to GP FOR CIVIL SUPPLIES, High Court of Andhra Pradesh. [OUT]
7. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
8. One spare copy.

PSD

HIGH COURT

BSB,J

DATED:09/01/2025

NOTE: POST ON 03.02.2025

ORDER

I.A.NO.1 OF 2025

IN

WP.No.395 of 2025

INTERIM SUSPENSION

