

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

MONDAY, THE FOURTH DAY OF AUGUST,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD
WRIT PETITION NO: 2081 OF 2025**

Between:

M/s. Divya Shakti Enterprises, Having its office at 14, Greenpark Apartments, Near D.R.Mahal, Tirupathi, Chittoor District, Rep. by its Managing Partner K.V.N.Siva Prasad

Petitioner

AND

1. The State of Andhra Pradesh, Rep., by its Principal Secretary, Civil Supplies Department, A.P.Secretariat Office, Velagapudi, Guntur District, Andhra Pradesh - 522237
2. The Commissioner of Civil Supplies, Civil Supplies Department and Ex-Officio Secretary to Government, Government of Andhra Pradesh, Vijayawada
3. Andhra Pradesh State Civil Supplies Corporation Limited, (APSCSCL) Rep., by its Vice Chairman and Managing Director D.No. 10-152/1, Sri Sai Towers, 4th Floor, Ashoknagar, Besides Siris Company, Bandar Road, Kanuru, Vijayawada
4. M/s.Prakruthi Logistics, 18.04.70, Ayodya Ramapuram, Samalkota-533440, Kakinada District, Andhra Pradesh Rep.by its Managing Parnter Sri K.Siva

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the

3rd Respondent in (i) not considering Petitioner's Representation dt.16.1.2025, wherein Petitioner agreed to transport essential commodities of Stage-1 in Chittoor, Tirupati and Annamayya Districts under Tender Notice bearing Lr.No.PDS.3/18/2755/2024-26 dt.13-12-2024 (File No.FCS51- 13022/5/2023-PDS SEC-APSCSCL-Part(1)) for the most competitive rates, which are (a) beneficial to public exchequer and (b) much lesser than the rates quoted by 4th Respondent, and (ii) taking steps to entrust the contract to 4th Respondent without calling the Petitioner for negotiations though during the negotiations conducted by the 3rd Respondent, 4th Respondent refused to reduce the rates quoted by it, as illegal, unjust, arbitrary, discriminatory, without Jurisdiction, suffers from colourable exercise of power and in violation of the Articles 14, 19 and 21 of the Constitution of India and consequently direct the official Respondents to consider the Petitioner's representation dt.16.01.2025 and call the Petitioner for negotiations to finalise the transportation rates.

IA NO: 1 OF 2025

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 stay all further proceedings in pursuance of the Tender Notice bearing Lr.No.PDS.3/18/2755/2024-26 dt.13.12.2024 (File No.FCS51- 13022/5/2023-PDS SEC-APSCSCL- Part(1)).

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the orders of the High Court dated 28.01.2025, 09.05.2025 & 04.07.2025 made herein upon hearing the arguments of Sri L.Ravi Chander, Ld. Senior Counsel (appearing through online) representing Sri SRINIVAS BOBBILI Advocate for the Petitioner, Sri P.Veeraraju, Ld. Asst. GP FOR CIVIL SUPPLIES for the Respondent Nos.1 to 3, the Court made the following;

ORDER:

"Heard Sri L.Ravi Chander, Ld. Senior Counsel (appearing through online) representing Sri Srinivas Bobbili, Ld. Counsel for the Writ

Petitioner and Sri P.Veeraraju, Ld. Asst. Government Pleader for the Respondents.

2. List this matter on 13.08.2025.

3. Interim order granted earlier shall continue till the next listing."

//TRUE COPY//

SD/- A. VIJAYA BABU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. One CC to SRI. SRINIVAS BOBBILI Advocate [OPUC] ✓
2. Two CCs to GP FOR CIVIL SUPPLIES ,High Court Of Andhra Pradesh. [OUT]
3. One spare copy

HIGH COURT

GRKP,J

DATE:04/08/2025

LIST THIS MATTER ON 13.08.2025

ORDER

WP.No.2081 of 2025

INTERIM ORDER EXTENDED

