

APHC010231682025



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3311]
(Special Original Jurisdiction)**

Friday, the twenty fourth day of October two thousand and twenty five

Present

The Honourable Ms. Justice B.S.Bhanumathi

C.C.No: 756 of 2025

in

W.P.No.28101 of 2024

Between:

Nadupuru Ammulu

... Petitioner

r

and

Farman Ahmad Khan and others

... Respondents

Counsel for the petitioner:

Tota Tejeswara Rao

Counsel for the respondents:

Venkata Sai Krishna Ponnuru

The Court made the following:

ORDER:

This Contempt Case is filed under Sections 10 & 12 of the Contempt of Courts Act, 1971 to punish the respondents for wilful disobedience of the order, dated 02.12.2024, in W.P.No.28101 of 2024 on the file of this Court.

2. The petitioner was appointed as dealer of a fair price shop in Tirlangi village, Tekkali Mandal, Srikakulam District in the year 2001. The petitioner filed W.P.No.28101 of 2024 challenging the proceedings, dated 23.11.2024 issued by the Revenue Divisional Officer, Tekkali Division, Srikakulam District temporarily suspending the authorisation of the petitioner for the fair price shop, pending enquiry, as illegal. According to the petitioner, the respondent authorities have not conducted any enquiry as directed in the order dated 02.12.2024 and violated the said order, since no enquiry officer was appointed and no notice of enquiry was issued to the petitioner for appearance to conduct enquiry, yet, passed the order dated 18.02.2025 cancelling the dealership of the petitioner for the fair price shop.

3. The second respondent filed counter stating that the petitioner submitted explanation to the show cause notice and the said explanation is not satisfactory and therefore, the dealership of the petitioner was temporarily suspended vide proceeding dated 23.11.2024, however, the petitioner filed W.P.No.28101 of 2024 which was disposed of on 02.12.2024 directing the respondents to conduct the enquiry within two months from the date of receipt of the copy of the order. Meanwhile, the petitioner filed an appeal before the Joint Collector, Srikakulam, against the order dated 23.11.2024

of the Revenue Divisional Officer, Tekkali temporarily suspending the authorisation of the petitioner. Accordingly, as per the instructions of the Collector (C.S.), Srikakulam, the Deputy Tahsildar (C.S.), Tekkali conducted field enquiry on 20.07.2025 and found that on 14.10.2024, the petitioner / dealer had not given any essential commodities to the MDU operator No.SK 27012 whose statement was recorded and on enquiry, the anganwadi workers in the said village who stated that the dealer had taken the bio-metric's and not taken the essential commodities. The appeal was dismissed vide appeal Case No.6 of 2024 – S9 dated 07.02.2025 after hearing the appellant. Accordingly, the enquiry was completed and as the dealer committed irregularities in maintenance of the fair price shop, the authorisation of the petitioner was cancelled vide proceeding in Rc.651/2024, dated 18.02.2025, by duly following the process of law. The copy of the order in W.P.No.28101 of 2024 was received by the respondents herein on 30.12.2024 in the office. The enquiry was conducted and completed within time in the light of the true spirit of the order and there is no violation of the order of this Court in the said writ petition.

4. The learned counsel for the petitioner submitted that the respondents had not duly complied the order by conducting enquiry within the stipulated period as the order of this Court is dated 02.12.2024 and the time given is two months and its copy had been supplied to the concerned authority by the petitioner.

5. On the other hand, the learned counsel for the respondents submitted that the order dated 18.02.2025 was passed within two months from the date of receipt of the copy of the order as

mentioned in the counter and in fact, the said order dated 18.02.2025 was challenged in W.P.No.6035 of 2025 by virtue of the order in which the order dated 18.02.2025 was set aside on 19.08.2025. He further submitted that if at all the petitioner is aggrieved by the final order, the remedy is not by filing this petition, but, by challenging the final order before the appropriate forum in appeal and therefore, the contempt case is liable to dismissed.

6. Since no violation of the order in the writ petition has been established, the contempt case is liable to be dismissed.

7. In the result, the contempt case is dismissed.

There shall be no order as to costs. Pending miscellaneous applications, if any, shall stand closed.

JUSTICE B.S.BHANUMATHI

Date: 24.10.2025

PNV