

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

FRIDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE



:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD

WRIT PETITION NO: 6508 OF 2025

Between:

M/s Sri Sambasiva Dairy Products (India) Private Limited, Having its registered office at 11-14-394-12/1, Plot No.24, Siris Kamineni Road, Road No.4, LB Nagar, Hyderabad, Telangana - 500074, Represented by its Authorized Signatory, Mr. Kanchi Parameswara Reddy.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary School Education Department, Secretariat, Velagapudi, Amaravathi.
2. The Director, Mid Day Meal and School Sanitation, Andhra Pradesh (MDMSS, AP) Plot No. 129, Road No.5, Nagarjuna Nagar, Near Parinaya Kalyana Mandapam, Vijayawada, NTR District
3. M/s Puri Jagganath Enterprises, Having its Unit/office at 25-3-264, 4th Cross Road, Gowtham Nagar, SPSR Nellore, Andhra Pradesh-524004.

...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 may be pleased to issue a writ, order or direction more particularly one in the nature of the Writ of Mandamus declaring the action of the Respondent No.2 herein in declaring the Respondent No.3 herein as L1 in respect of the E - procurement Tender Notification after opening the financial bids for Package 6 and NIT No 36/2024, dated 27.12.2024 for Procurement and Supply of Peanut - Jaggery Chikki to School Children under the Dokka

Seethamma Madhyana Badi Bhojanam (MDM Scheme) for the FY 2025-26 contrary to the Eligibility Criteria stipulated in the Section II of the said tender document as being arbitrary, illegal, unjust, and violative of the fundamental rights of the Petitioners guaranteed under Articles 14 and 19(1)g of the Constitution of India and consequently disqualify the Respondent No.3 from the E - procurement Tender Notification process notified vide Package 6 and NIT No- 36/2024, dated 27.12.2024 by directing the Respondent No.2 herein to consider the Petitioner herein as "L1" in respect of the said tender in accordance with the law.

IA NO: 2 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 direct the Respondent No.2 herein to continue the petitioner to supply the peanut jaggery chikki to the schools in Ananthapur, Kurnool and Nandayal Districts covered under Package 6 vide NIT No: 36/2024, Date: 27.12.2024 pursuant to the contract dated 01.02.2024 and the proceedings Rc No. 1475469/MDM & SS/2022-6 dated 31.01.2024 without reference to the period of supply sitpualted in the said contract and proceedings, Pending disposal of WP 6508 of 2025, on the file of the High Court.

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 direct the Respondent No.2 herein not to award any work contract in respect of the Procurement and Supply of Peanut - Jaggery Chikki to School Children under the Dokka Seethamma Madhyana Badi Bhojanam (MDM Scheme) for the FY 2025-26 pursuant under Package 6 & NIT No; 36/2024, dated 27.12.2024 in favor of the Respondent No.3, Pending disposal of WP 6508 of 2025, on the file of the High Court.

IA NO: 3 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 vacate the interim order dt. 13.03.2025 passed by this Hon'ble Court in WP No. 6508 of 2025 and consequently dismiss the Writ Petition, Pending disposal of WP 6508 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 S.V.S.S.Siva Ram, Ld. Counsel for the Writ Petitioner and Sri Gurram Rama Chandra Rao, Ld. Government Pleader for Education appearing for Respondent Nos. 1 and 2, Sri R.N.Hemendranath Reddy, Ld. Senior Counsel assisted by Lohit's appearing on behalf of Sri Ch. Karthik, Ld. Counsel for the Respondent No.3, and the Court made the following

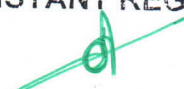
ORDER:

"Heard Sri S.V.S.S.Siva Ram, Ld. Counsel for the Writ Petitioner and Sri Gurram Rama Chandra Rao, Ld. Government Pleader for Education appearing for Respondent Nos. 1 and 2, Sri R.N.Hemendranath Reddy, Ld. Senior Counsel assisted by Lohit's appearing on behalf of Sri Ch. Karthik, Ld. Counsel for the Respondent No.3.

- 2. Let Counter-Affidavit be filed within one week.**
- 3. List this matter on 04.04.2025 at 2.15 PM.**
- 4. It is indicated that the process of the Tender will be subject to the final outcome in this Writ Petition."**

**Sd/- K. J. RAJA BABU
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

F

To,

1. The Principal Secretary School Education Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi.
2. The Director, Mid Day Meal and School Sanitation, Andhra Pradesh (MDMSS, AP) Plot No. 129, Road No.5, Nagarjuna Nagar, Near Parinaya Kalyana Mandapam, Vijayawada, NTR District.
3. M/s Puri Jagganath Enterprises, Having its Unit/office at 25-3-264, 4th Cross Road, Gowtham Nagar, SPSR Nellore, Andhra Pradesh-524004.

(Addresses 1 to 3 by RPAD)

4. One CC to Sri S.V.S.S.Siva Ram, Advocate [OPUC]
5. Two CCs to Government Pleader for Education, High Court of Andhra Pradesh. [OUT]
6. One CC to Sri Ch. Karthik, Advocate [OPUC]
7. **One spare copy**

KN

HIGH COURT

GRKP,J

DATED:21/03/2025

List this matter on 04.04.2025 at 2.15 PM.

ORDER

WP.No.6508 of 2025

ORDER

