

[3311]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI ✓

WEDNESDAY, THE EIGHTEENTH DAY OF MARCH ✓

TWO THOUSAND AND TWENTY SIX ✓

:PRESENT:
THE HONOURABLE MS JUSTICE B S BHANUMATHI ✓
IA No. 1 OF 2026
IN
WP NO: 7228 OF 2026



Between:

M/s. Amartya Group, Rep. By its Managing Partner, Mr. Nishanth Chinthangal, S/o. S.Padma, Having its registered office at Flat No.25, Grand World Enclave, Upadhyaya Nagar, Tirupati (Urban), Andhra Pradesh-517 507. ✓

...Petitioner ✓

(Petitioner in WP 7228 OF 2026
on the file of High Court)

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Agriculture Marketing Department, Secretariat Buildings, Velagapudi Village, Amaravathi.522237
2. The Commissioner and Director, Agriculture Marketing, Old Mirchi Yard, Nallpadu Road, Chuttagunta, Guntur. 522005
3. Agricultural Market Committee, Bangarupalem, Rep. By Its Secretary, Chittoor District, Andhra Pradesh.517501
4. The Secretary Gr.II, Agricultural Market Committee, Bangarupalyam.517501

5. The Regional Joint Director of Marketing, Kadapa, Andhra Pradesh.516001
6. The Regional Deputy Director of Marketing, Kadapa, Andhra Pradesh.516001
7. The Assistant Director of Marketing, Chittoor, Andhra Pradesh.517501

...Respondents

Counsel for the Petitioner :M/s.VMR LEGAL

Counsel for the Respondents:GP FOR AGRICULTURE

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 the operation of the Notice issued vide Roc.No.66/2025 Dt.28.02.2026, Pending disposal of WP No. 7228 of 2026, on the file of the High Court.

The court, while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

This application is filed to stay the operation of the notice issued vide Roc.No.66/2025, dated 28.02.2026, pending disposal of the writ petition.

The learned counsel for the petitioner submitted that the petitioner is doing business of raw cashew nuts exclusively imported from West African country through major ports and is not doing any business within the notified market area, yet the respondent No.3 has been issuing notices to the petitioner to pay fee under the misconception that

business conducted in the notified area regarding any notified agricultural produce is subject to such fee, whereas "notified market area" defined under Section 2 (xii) and "notified area" defined under Section 2 (xi) of the A.P. (A.P.L.) Markets Act, 1966 are different and that Section 12 empowers A.M.C. to levy fee on "purchases" and "sales" made only in a "notified market area" and not a "notified area". He further submitted that under the said misconception, the respondents are interfering with the business activities of the petitioner and stopping the vehicles at check posts. ✓

He further submitted that previously when a notice dated 09.09.2025 had been given directing to produce books of accounts etc., a reply was given on 01.10.2025 indicating that the petitioner is not procuring agricultural commodities from within the "notified market area" and that it transacts directly from abroad through Tutucorin or Mangalore ports or purchases at the major ports, yet another notice dated 28.02.2026 was given to the petitioner demanding payment of Rs.3,16,272/- as fee payable on the business transactions. ✓

The learned Standing Counsel for the A.M.C. requested time for instructions. He further submitted that vehicles can be verified at the check posts of the notified area and therefore, it cannot be interference in the business. He further submitted that fee is leviable on the sales and purchases of notified agricultural produce within a "notified market area", but he has no instructions as to where the unit of the petitioner is located. ✓

In the impugned notice, it was mentioned that the petitioner is transacting the notified agricultural produce within the "notified market area", but there is no specific reference of place in spite of earlier reply given by the petitioner. Since as per Section 12, "market fee" can be levied only on the "sales" or "purchases" of "notified agricultural produce" within the "notified market area", the respondent No.3 cannot

demand such fee so long as the petitioner has transactions outside the "notified market area", though within the "notified area".

As such, interim order as prayed for is granted till 30.03.2026, subject to the condition that the petitioner shall not transact within the "notified market area" of the respondent No.3 without duly complying the requirement to pay market fee, since "notified area" is different from the "notified market area".

//TRUE COPY//

SD/- M.PRABHAKARA RAO
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Agriculture Marketing Department, The State of Andhra Pradesh, Secretariat Buildings, Velagapudi Village, Amaravathi.522237. [By Special Messenger]
2. The Commissioner and Director, Agriculture Marketing, Old Mirchi Yard, Nallpadu Road, Chuttagunta, Guntur. 522005
3. The Secretary, Agricultural Market Committee, Bangarupalem, Chittoor District, Andhra Pradesh.517501
4. The Secretary Gr.II, Agricultural Market Committee, Bangarupalyam.517501
5. The Regional Joint Director of Marketing, Kadapa, Andhra Pradesh.516001
6. The Regional Deputy Director of Marketing, Kadapa, Andhra Pradesh.516001

7. The Assistant Director of Marketing, Chittoor, Andhra Pradesh.517501
(2 to 7 By Speed Post)
8. One CC to M/s. VMR LEGAL Advocate [OPUC]
9. Two CCs to GP FOR AGRICULTURE ,High Court Of Andhra Pradesh.
[OUT]
10. **One spare copy**

HIGH COURT

BSB,J

DATED:18/03/2026

POST ON 30.03.2026

ORDER

IA.NO.1 OF 2026

IN

WP.No.7228 of 2026

INTERIM DIRECTION

