

APHC010254442025



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

[3332]

MONDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 13390/2025

Between:

Jangam Akkulappa,

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.K RAGHU VEER

Counsel for the Respondent(S):

1.GP FOR CIVIL SUPPLIES

The Court made the following order:

The grievance of the petitioner is that, without there being any suspension or cancellation of the authorization, the respondent authorities are not allotting the essential commodities to him for F.P.Shop No.1039035 of Kanduru Village, Somala Mandal, Chittoor District.

2. Heard Sri K.Bala Krishna, learned counsel representing learned counsel for the petitioner, and Sri Vineeth Appasani, learned Assistant Government Pleader for Civil Supplies.

3. Sri Vineeth Appasani, learned Assistant Government Pleader on instructions dated 19.01.2026 submitted that, after exercising the powers delegated to the tahsildar as per Essential Commodities Act, 1955, the then tahsildar, somala has temporarily suspended the dealership for the subject fair price shop and handed over the authorization to the Village Revenue Officer, Kanduru. He fairly conceded that, the authorities cannot stop supply of essential commodities, unless the FP shop authorization of the petitioner is either suspended or cancelled and in the instant case, tahsildar without having any power has suspended the dealership and the authorities, if intends, would take steps in accordance with law against the irregularities, if any, committed by the petitioner.

4. Perused the material available on record and considered the submissions made by learned counsel for the parties.

5. A perusal of the instructions dated 19.01.2026 shows that, the then tahsildar, somala has temporarily suspended the dealership for the subject fair price shop and handed over the authorization to the Village Revenue Officer, Kanduru. Pursuant to the directions of this Court, the Joint collector and the tahsildar have appeared before this court virtually and reported that tahsildar has no jurisdiction to suspend the dealership. Even otherwise, there are no proceedings of tahsildar suspending the petitioner's authorization. In the said circumstances, this Court presumes that the petitioner's authorization was neither suspended nor cancelled in accordance with law.

6. In *Oleti Tirupathamma Vs District Supply Officer*¹, this Court has categorically held that if the licensing authority themselves upon application of mind come to the conclusion that the irregularities committed by the fair price shop dealer would warrant suspension of his license, it may do so. But, the authority without taking recourse to the said action, cannot refuse to supply the essential commodities. In the event, an order of suspension of license is passed, the authorities will have to make an alternative arrangement. But in a case of this nature, the cardholders would be worst sufferers inasmuch their essential commodities would not be supplied to them at all. Therefore, stoppage of supply of essential commodities for being distributed to the cardholders allocated to the FP shop of the petitioner is unsustainable.

7. In view of the above, the writ petition is ***disposed of***, directing the authorities to continue to supply the essential commodities to the FP shop of the petitioner. In case the respondent authorities intend to take action against the irregularities, if any, committed by the petitioner, they can take steps in accordance with law. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

BRS

¹ 2002(1) ALD 577