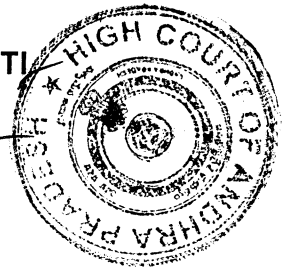


(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIRST DAY OF OCTOBER,
TWO THOUSAND AND TWENTY

: PRESENT:

THE HONOURABLE SRI JUSTICE D RAMESH
WRIT PETITION NO: 19262 OF 2020



Between:

Samsung India Electronics Pvt. Ltd., having its Registered Office at 6th Floor, DLF Centre, Sansad Marg, New Delhi - 110 001. And having its corporate office at 20th to 24th Floor, Two Horizon Centre, Golf Course Road, DLF Phase-5, Sector 43, Gurugram, Haryana-122 202. Represented by its Authorized Signatory Mr. Praveen Sangwan.

...Petitioner ✓

AND

1. The State of Andhra Pradesh, Through its Principal Secretary, Department of Consumer Affairs, Food and Civil Supplies, A.P. Secretariat, Velagapudi, Amaravati, Guntur District Andhra Pradesh.
2. The Controller of Legal Metrology, D. No. 10-152-1, Civil Supplies Corporation, 1st Floor, Bandar Road, Ashok Nagar, Kanuru, Vijayawada, Andhra Pradesh - 520 007.
3. The Inspector, Department of Legal Metrology, D. No. 4/62-A, Usman Nagar, Rajampet, Kadapa District, Andhra Pradesh - 516 115.

...Respondents.

WHEREAS the Petitioner above named through its Advocate Sri Sai Sanjay Suraneni presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ or order or direction more particularly a writ in the nature of a writ of Mandamus

- a. declaring the actions of Respondent No.2 in passing the Order dated 01.10.2020 in Respondent No. 3 in the case bearing no.113/PC/2020-21, against the Petitioner as being illegal, arbitrary and violative of the Legal Metrology Act, 2009, Legal Metrology (Packaged Commodities) Rules, 2011 as well as Articles 14 and 19 of the Constitution of India and consequently set aside the same and
- b. declaring the actions of the Respondent No.3 in drawing the Panchnama dated 13.06.2020 and issuing the Notice bearing no. 113/PC/2020-21 dated 08.10.2020 in relation to the case bearing no. 113/PC/2020-21, to the Petitioner as being illegal, arbitrary and violative of the Legal Metrology Act, 2009, Legal Metrology (Packaged Commodities) Rules, 2011 as well as Articles 14 and 19 of the Constitution of India and consequently set aside the same. ✓

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Sai Sanjay Suraneni, Advocate for the Petitioner, GP for Civil Supplies for the respondent No.1, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Department of Consumer Affairs, Food and Civil Supplies, A.P. Secretariat, Velagapudi, Amaravati, State of Andhra Pradesh, Guntur District, Andhra Pradesh.
2. The Controller of Legal Metrology, D. No. 10-152-1, Civil Supplies Corporation, 1st Floor, Bandar Road, Ashok Nagar, Kanuru, Vijayawada, Andhra Pradesh - 520 007.
3. The Inspector, Department of Legal Metrology, D. No. 4/62-A, Usman Nagar, Rajampet, Kadapa District, Andhra Pradesh - 516 115. ✓

are directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted. ✓

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to stay the operation of Notice bearing no. 113/PC/ 2020-21 dated 08.10.2020 issued by the Respondent No.3 in relation to the case bearing no. 113/PC/2020-21 including the initiation of any proceeding(s)/proceeding further in relation to case bearing no. 113/PC/2020-21, against the Petitioner, pending disposal of WP No.19262 of 2020, on the file of the High Court.

The Court made the following: ORDER

"Notice before admission returnable in four (4) weeks.

Considering the submissions of the learned counsel for the petitioners there shall be interim suspension of the order passed in case no.113/PC/2020-21 dated 08.10.2020, O/o legal Metrology Department and the consequential proceedings issued by the Inspector, Legal Metrology, Rajampeta, dated 08.10.2020 were also suspended.

Post after four (4) weeks."

Sd/- M. RAMESH BABU
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Department of Consumer Affairs, Food and Civil Supplies, A.P. Secretariat, Velagapudi, Amaravati, State of Andhra Pradesh, Guntur District, Andhra Pradesh.
2. The Controller of Legal Metrology, D. No. 10-152-1, Civil Supplies Corporation, 1st Floor, Bandar Road, Ashok Nagar, Kanuru, Vijayawada, Andhra Pradesh - 520 007.
3. The Inspector, Department of Legal Metrology, D. No. 4/62-A, Usman Nagar, Rajampet, Kadapa District, Andhra Pradesh - 516 115. (1 to 3 by RPAD- along with a copy of petition and affidavit)
4. One CC to Sri Sai Sanjay Suraneni, Advocate [OPUC]
5. Two CCs to GP for Civil Supplies, High Court of Andhra Pradesh. [OUT]
6. One spare copy

SP

HIGH COURT

DRJ

DATED: 21/10/2020

NOTE: POST AFTER FOUR (4) WEEKS.

NOTICE BEFORE ADMISSION

WP.No.19262 of 2020

DIRECTION

