

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

**THURSDAY, THE SEVENTEENTH DAY OF DECEMBER,
TWO THOUSAND AND TWENTY**

**:PRESENT:
THE HONOURABLE SMT JUSTICE KONGARA VIJAYA LAKSHMI
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

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 the Appeal bearing No.01 of 2020 and Order dated 29.06.2020 passed by the 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.

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 petition coming on for hearing, upon perusing the petition and memo of grounds filed herein, and Orders of High Court dated 21-10-2020 and 18-11-2020 made herein and upon hearing the arguments of Sri Sanjay Suraneni, Advocate for the petitioner for the Petitioner, and GP for Civil Supplies for the Respondents, the Court made the following

The Court made the following:

ORDER:

Learned Government Pleader for Civil Supplies undertakes to serve counter on the Counsel for the petitioner and upload the counter.

List after three weeks.

Interim order granted earlier is extended till then.

//TRUE COPY//

**Sd/- R.Karthikeyan
ASSISTANT REGISTRAR**

For ASSISTANT REGISTRAR

To,

1. One CC to Sri Sai Sanjay Suraneni, Advocate [OPUC]
2. Two CCs to GP for Civil Supplies, High Court of Andhra Pradesh. [OUT]
3. One spare copy

Skm

HIGH COURT

KVL,J

DATED: 17-12-2020

NOTE: LIST AFTER THREE WEEKS

WP.No.19262 of 2020

INTERIM ORDER IS EXTENDED

