

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND TWENTY TWO

:PRESENT:
THE HONOURABLE SRI JUSTICE BATTU DEVANAND



IA No. 1 OF 2022
IN
WP NO: 18755 OF 2022

Between:

M C Pullamma, W/o. M.Subramanyam, Aged 33 years, R/o.5-100, Korrapadu,
Rajupalem, Kadapa District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Civil Supplies Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Kadapa, Kadapa District.
3. The Joint Collector, Kadapa, Kadapa District.
4. The Revenue Divisional Officer, Jammalamadugu, Kadapa District.
5. The Tahsildar, Rajupalem, Kadapa District.
6. The Assistant Supply Officer, Jammalamadugu, Kadapa District.
7. Sri.G.Srinivasulu, Revenue Divisional Officer, Jammalamadugu, Kadapa District.
8. Sri.D.Damodar Reddy, Tahsildar, Rajupalem Mandal, Kadapa District.

...Respondents

Counsel for the Petitioner :SRI G V SHIVAJI

Counsel for the Respondents :GP FOR CIVIL SUPPLIES

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 grant interim suspension of the impugned proceedings Ref.B/556/2022 dated 25.05.2022, on the file of the 4th respondent, consequently permitting the petitioner to operate fair price shop authorization and distribute commodities in respect of Shop No.1104013, Korrapadu Village, Rajupalem Mandal, Kadapa District, pending disposal of WP No.18755 of 2022, 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). The Court made the following;

ORDER:

"Heard learned counsel for the petitioner and the learned Government Pleader for Civil Supplies and perused the record.

While disposing of the Writ Petition No.13576 of 2022, this Court by Order dated 06.05.2022, directed the respondents to supply a copy of the Report of the Tahsildar dated 22.04.2022 to the petitioner within a period of Two weeks from the date of receipt of a copy of the Order and it is made clear that the petitioner is at liberty to submit her explanation within a period of Two weeks from the date of receipt of the report of the Tahsildar, dated 22.04.2022.

It is further directed that on receipt of the explanation of the petitioner, the respondents are directed to complete the enquiry, as expeditiously as possible, within a period of Four weeks from the date of receipt of explanation of the petitioner.

Learned counsel for the petitioner contends that the Enquiry Report of the Tahsildar, as directed by this Court, was furnished on the petitioner on 26.05.2022

and through the impugned Order dated 25.05.2022, the authorization of the petitioner is cancelled. However, in the order, it is not mentioned that when a copy of the Order of the Tahsildar is served on the petitioner.

On careful perusal of the entire material on record, it appears, the respondents did not follow the directions issued by this Court by Order dated 06.05.2022 in W.P.No.13576 of 2022. Alleging that the petitioner failed to submit explanation, passed the impugned Order. As the respondents failed to mention the date of the service of the copy of the enquiry report of the Tahsildar in the impugned proceedings, this Court is accepting the contention of the learned counsel for the petitioner that the report of the Tahsildar is served on the petitioner on 26.05.2022 i.e., after the date of the impugned Order, which is illegal and unjust and against to the directions passed by this Court in W.P.No.13576 of 2022.

Accordingly, there shall be an interim suspension as prayed for."

Sd/- V. SATYANARAYANA
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Civil Supplies Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Kadapa, Kadapa District.
3. The Joint Collector, Kadapa, Kadapa District.
4. The Revenue Divisional Officer, Jammalamadugu, Kadapa District.
5. The Tahsildar, Rajupalem, Kadapa District.
6. The Assistant Supply Officer, Jammalamadugu, Kadapa District.
7. Sri.G.Srinivasulu, Revenue Divisional Officer, Jammalamadugu, Kadapa District.
8. Sri.D.Damodar Reddy, Tahsildar, Rajupalem Mandal, Kadapa District.(1 to 8 By RPAD)
9. One CC to Sri. G V Shivaji, Advocate [OPUC]
10. Two CCs to GP for Civil Supplies, High Court of Andhra Pradesh. [OUT]
11. One spare copy.

MSB

HIGH COURT

DEV,J

DATED:06/07/2022

ORDER

POST ON 03.08.2022 FOR FILING COUNTER AFFIDAVITS BY THE RESPONDENTS

**IA NO.1 OF 2022
IN
WP.No.18755 of 2022**

INTERIM SUSPENSION

