



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

[3332]

**TUESDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 15341/2016

Between:

1. PALLI SRIDEVI,, W/O. PRAKASH RAO AGED 35 YEARS, OCC:
F.P. SHOP DEALER, CHIGURUVALASA VILLAGE, SARUBUJJILI
MANDAL, SRIKAKULAM DISTRICT.

...PETITIONER

AND

1. THE STATE OF A P, REP. BY ITS SECRETARY, FOOD, CIVIL
SUPPLIES & CONSUMER AFFAIRS DEPARTMENT,
SECRETARIAT BUILDINGS, HYDERABAD.

2. THE DISTRICT COLLECTOR SRIKAKULAM, -

3. THE JOINT COLLECTOR, SRIKAKULAM, SRIKAKULAM
DISTRICT

4. THE REVENUE DIVISIONAL OFFICER, SRIKAKULAM,
SRIKAKULAM DISTRICT.

5. THE TAHSILDAR, SARUBUJJILI MANDAL, SRIKAKULAM
DISTRICT.

...RESPONDENT(S):

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 order, direction or writ, more particularly one in the nature of writ of Mandamus declaring the order of the District

Collector, Srikakulam, the 2nd respondent herein passed in D.Dis.SRR.No.04/2015/S2/Dt. 25.10.2015, allowing the revision filed by the Revenue Divisional Officer, the 4th respondent herein by setting aside the orders of the Joint Collector, Srikakulam, the 3rd respondent herein passed in D.Dis.354/2014 SR (A) No.05/2012 dated 0910-2014, where under he allowed the appeal filed by the petitioner against the orders of the Revenue Divisional Officer, Srikukulam, the 4th respondent herein passed in Rc.No.957/2011/CS dated 01.02.2012, where under he cancelled the authorization of the petitioner as illegal, arbitrary, violative of Articles 14 and 19 (1)(g) of the Constitution of India and also violative of principles of natural justice and contrary to the provisions of the A.P. Public Distribution System (Control) Order, 2008 and set aside the same and consequently direct the respondents to restore the authorization of the petitioner for F.P.Shop of Chiguruvalsa village, Sarubujjili Mandal, Srikakulam District

IA NO: 1 OF 2016(WPMP 19022 OF 2016

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased To direct the respondents to supply the essential commodities to the petitioner F.P. Shop of Chiguruvalsa village, Sarubujjili Mandal, Srikakulam District to distribute the same to the cardholders attached to his shop by suspending the operation of the order in D.Dis.SRR.No.04/2015/S2/ Dt.25.10.2015 passed by the 2nd respondent

Counsel for the Petitioner:

1.V SUDHAKAR REDDY

Counsel for the Respondent(S):

1.GP FOR CIVIL SUPPLIES (AP)

The Court made the following:

ORDER:

Challenging the order passed by the 2nd respondent/District Collector vide D.Dis.SRR.No.04/2015/S2 dated 25.10.2015, the present writ petition is filed.

2. Heard Sri V.Sudhakar Reddy, learned counsel for the petitioner and Sri Vineeth Appasani, learned Assistant Government Pleader for Civil Supplies appearing for the respondents.

3. While reiterating the contents of the affidavit, learned counsel for the petitioner submitted that against the cancellation order dated 01.02.2012 passed by the 4th respondent/Revenue Divisional Officer, cancelling the petitioner's authorization, the petitioner preferred an appeal before the 3rd respondent/Joint Collector, wherein the 3rd respondent/Joint Collector allowed the appeal and set aside the orders of the 4th respondent/Revenue Divisional Officer by order dated 09.10.2014. Feeling aggrieved by the said order passed by the 3rd respondent/Joint Collector, the 4th respondent/Revenue Divisional Officer preferred revision before the Collector i.e., the 2nd respondent herein. The 2nd respondent herein allowed the same and set aside the orders passed by the 3rd respondent/appellate authority (Joint Collector). Assailing the said order, the present writ petition has been filed.

4. Learned counsel for the petitioner further submitted that the 4th respondent/Revenue Divisional Officer, who is appointing authority,

cannot be termed as aggrieved person. In the said circumstances, he, being a quasi judicial authority, preferring revision before the 2nd respondent/Collector does not arise. This fact was not taken due note of by the 2nd respondent/Collector before entertaining the revision. The said order is ex facie illegal and same is liable to be set aside,

5. On the other hand, learned Assistant Government Pleader, while justifying the orders passed by the 2nd respondent/Collector, submitted that there is neither illegality nor procedural irregularity in passing such order. Having noticed that the 3rd respondent/Joint Collector had missed certain facts, a revision was filed in those circumstances. If at all the petitioner has any grievance against the orders passed by the 2nd respondent/Collector in the revision, the petitioner can as well prefer a further revision to the Government. Accordingly, prayed to pass appropriate orders.

6. Perused the record and considered the submissions made by both the learned counsel.

7. The main ground that has been urged and raised before this Court that the 4th respondent/Revenue Divisional Officer (appointing authority) cannot be termed as aggrieved person but still preferred revision before the 2nd respondent/Collector against the orders passed by the 3rd respondent/appellate authority (Joint Collector). There is no specific definition for “aggrieved person” either under Control Order, 2008 or

2018. However, the Full Bench of the Composite High Court in ***M.Vanaja Vs. B.Balaseshanna and others***¹, held that an aggrieved person would be either cardholder or the complainant. The Revenue Divisional Officer does not fall within the meaning of the same. The Revenue Divisional Officer cannot be termed as a complainant or cardholder, as observed in the Full Bench Judgment.

8. Time and again, the High Courts have culled out certain principles where a quasi-judicial authority has to act impartially and take a call on the *lis* which is before it and after the case stands decided by, it become *functus officio*. It neither has the power to file an appeal nor review or revision etc., against its order. It is for the aggrieved party to assail the order and the authority which passes the order cannot be said to be an aggrieved party.

9. As rightly contended by the learned counsel for the petitioner, the 4th respondent/Revenue Divisional Officer is a quasi judicial authority, and a quasi judicial authority cannot question the orders passed by the 3rd respondent/appellate authority (Joint Collector). The 2nd respondent/Collector failed to take this aspect into consideration and, thereby, entertained and allowed the revision filed by the 4th respondent/Revenue Divisional Officer. In view of the same, the order impugned is *ex facie* illegal and is liable to be set aside.

¹ 2008 (1) ALT 520 (F.B.)

10. Accordingly, the Writ Petition is ***disposed of*** by setting aside the order impugned dated 25.10.2015. There shall be no order as to costs.

As a sequel, miscellaneous applications, pending if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

Date: 17th February, 2026
JLV

300

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 15341/2016

Date: 17th February, 2026

JLV