



(SHOW CAUSE NOTICE BEFORE ADMISSION)

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF DECEMBER TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION NO: 22521 OF 2020

Between:

Vallamsetty Chiranjeevi, S/o. Obula Rao, aged about 32 years, F.P. Shop dealer, Shop No.5, Pamur Village and Mandal, Prakasam District.

Petitioner

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary, Consumer Affairs and Civil Supplies Department, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Collector and District Magistrate, Prakasam District, Ongole.
3. The Collector (CS), Prakasam District, Ongole.
4. The Revenue Divisional Officer, Kandukur, Prakasam District.
5. The Tahsildar, Pamur Mandal, Pamur, Prakasam District.

Respondents

WHEREAS the Petitioner above named through his Advocate KAVITHA GOTTIPATI 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, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the 4th respondent, wherein cancelled authorization of the petitioner vide proceedings Rc.F/2133/2010, dated 05.12.2013 and the consequential orders passed by the 3rd and 2nd respondents vide Procs.Rc.CS2/9/2014, dated 21.10.2014 and Rc.CS2/416/2014, dated 14.09.2020 in confirming the orders passed by the 4th respondent is illegal, arbitrary, unjust and contrary to the provisions of APSPDS Control Order, 2008 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 Smt.Kavitha Gottipati Advocate for the Petitioner and of learned Government Pleader for Civil Supplies for respondents, 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, Consumer Affairs and Civil Supplies Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Collector and District Magistrate, Prakasam District, Ongole.
3. The Collector (CS), Prakasam District, Ongole.
4. The Revenue Divisional Officer, Kandukur, Prakasam District.
5. The Tahsildar, Pamur Mandal, Pamur, Prakasam District.

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 before 02.01.2021, on which date the case stands posted for hearing.

IA NO: 1 OF 2020

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 pass orders direct the respondent authorities to continue the petitioner as Fair Price Shop Dealer of Shop No. 5, Pamur Village & Mandal, Prakasam District and permit the petitioner to supply the essential commodities to the card holders without any interruption, by suspending the proceedings Rc.F/2133/2010, dated 05.12.2013 of 4th Respondent and the consequential orders passed by the 3rd and 2nd respondents vide Procs.Rc.CS2/9/2014, dated 21.10.2014 and Rc.CS2/416/2014, dated 14.09.2020, pending disposal of the Writ Petition No. 22521 of 2020, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Learned Government Pleader takes notice for respondents and seeks time to file counter affidavit.

It is stated in the affidavit that throughout the pendency of the proceedings, the petitioner has been supplying the essential commodities to the card holders without any intervention and as seen from the release order, dated 15.10.2020, the commodities were released even for the Month of October, 2020.

In view of the same, there shall be an interim direction as prayed for.

List the matter after four (4) weeks.

Sd/- E. KAMESHWARA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Consumer Affairs and Civil Supplies Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Collector and District Magistrate, Prakasam District, Ongole.
3. The Collector (CS), Prakasam District, Ongole.
4. The Revenue Divisional Officer, Kandukur, Prakasam District.
5. The Tahsildar, Pamur Mandal, Pamur, Prakasam District. (by RPAD- along with a copy of petition and memorandum of grounds)
6. One CC to Smt.Kavitha Gottipati Advocate [OPUC]
7. Two CCs to GP for Civil Supplies, High Court Of Andhra Pradesh. [OUT]
8. One spare copy

SRL

HIGH COURT

KVLJ

DATED:01/12/2020

NOTE: LIST THE MATTER AFTER FOUR (4) WEEKS

NOTICE BEFORE ADMISSION

WP.No.22521 of 2020

DIRECTION

