



**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**MONDAY, THE FOURTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD
WRIT PETITION NO: 19704 OF 2023**

Between:

M Prabhakar, S/o. Koteswara Rao, aged 48 years, Occ. MDU Operator, R/o. Ulavapadu Village and Mandal, SPSR Nellore District.

...Petitioner

AND

1. State of Andhra Pradesh, rep by its Principal Secretary, Civil Supplies Dept., Secretariat, Velagapudi, Guntur.
2. Collector and District Magistrate(CS), Nellore, SPSR Nellore District.
3. Sub Collector, Kandukur Division, Kandukur, SPSR Nellore District.
4. Deputy Tahsildar (Civil Supplies), Kandukur, SPSR Nellore District.
5. Tahsildar, Ulavapadu Mandal, Ulavapadu, SPSR Nellore District.

...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 a Writ/Order/ Direction more particularly one in the Nature of Writ of Mandamus declaring the action of the Respondents in not allowing the petitioner as MDU Operator of F.P.Shop No.0855001 of Ulavapadu(V&M), SPSR Nellore District merely based on panchanama dt. 06.07.23 as illegal, arbitrary, without jurisdiction, contrary to Control order besides violation of Art.14 and 21 of the Constitution of India and consequently direct the respondents to continue the petitioner as MDU Operator of F.P.Shop No.0855001 of Ulavapadu(V&M), SPSR Nellore District as long as its authorization is in force

IA NO: 1 OF 2023

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the WRIT petition, the High Court may be pleased to direct the 5th Respondent to continue the Petitioner as MDU Operator of F.P. Shop No.0855001 of Ulavapadu(VandM), SPSR Nellore District as long as his MDU Operator licence is in force without reference to Panchanama dt.06.07.23, Pending disposal of WP 19704 of 2023, on the file of the High Court.

The Petition Coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier orders of the High Court dated 04.08.2023 & 14.08.2023 made herein and upon hearing the arguments of SRI SRINIVASULU KURRA Advocate for the Petitioner, GP FOR CIVIL SUPPLIES for the Respondent Nos.1 to 5, the Court made the following

ORDER:

"Heard Sri Srinivasulu Kurra, Ld. Counsel for the Writ Petitioner and Sri. G.Raju, Ld. Assistant Government Pleader for Civil Supplies appearing for Respondents.

2. Two weeks for filing Counter-Affidavit. One week thereafter for filing Rejoinder, if any.

3. List the matter on 25.09.2023.

4. Interim direction dated 04.08.2023 shall continue till the next listing.

Sd/- V. SAVITRI GOWRI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. SRINIVASULU KURRA Advocate [OPUC]
2. Two CCs to GP FOR CIVIL SUPPLIES ,High Court of Andhra Pradesh.
[OUT]
3. One spare copy

nbr

HIGH COURT

GRKP,J

DATED:04.09.2023

List the matter on 25.09.2023.

ORDER

WP.No.19704 of 2023

INTERIM ORDER EXTENDED

