



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

**[3332]**

**TUESDAY, THE TWENTY SEVENTH DAY OF JANUARY  
TWO THOUSAND AND TWENTY SIX**

**PRESENT**

**THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI**

**WRIT PETITION NO: 19934/2025**

**Between:**

1.R.SUDARSHAN REDDY, S/O CHANDRASEKHAR REDDY  
AGE 44 YEARS, OCC FP SHOP DEALER FOR SHOP  
NO. 1338045, PERAIPALLE VILLAGE ALLAGADDA  
MANDAL, NANDYAL DIST.

**...PETITIONER**

**AND**

- 1.STATE OF ANDHRA PRADESH, REP.BY ITS PRINCIPLE  
SECRETARY CIVIL SUPPLIES DEPARTMENT,  
SECRETARIAT, VELAGAPUDI, GUNTUR DIST.
- 2.THE COLLECTOR CS, NANDYAL DIST., AT NANDYAL.
- 3.THE REVENUE DIVISIONAL OFFICER, NANDYAL  
DIVISION, NANDYAL DIST.
- 4.THE TAHSILDAR, ALLAGADDA MANDAL, NANDYAL  
DIST.

**...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 topleased to issue a writ or direction

preferably writ of mandamus declaring the show cause notice issued by the 3rd respondent vide Rc.Cs.No.1258/2025 dt 12-7-2025 (received on 23-7-2025) directly proposing for cancellation of FP Shop i.e., Shop No.1338045, Peraipalle Village, Allagadda Mandal, Nandyal Dist., though the same charges were set aside by this Hon'ble Court in W.P.NO.4312/2025 dt 19-2-2025 and without following the procedure as contemplated under AP State Targeted Public Distribution System (Control) Order, 2018 is illegal, arbitrary, contrary and violative of principles of natural justice and consequently set aside the notice dt 12-7-2025 and further direct the respondents to continue the petitioner's FP Shop dealer as usual

**IA NO: 1 OF 2025**

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 Stay all further proceedings pursuant to the Show Cause Notice vide Rc.Cs.No.1258/2025 dt: 12-7-2025 issued by the 3rd respondent by allowing the petitioner to run the shop i.e., FP Shop No.1338045, Peraipalle Village, Allagadda Mandal, Nandyal Dist., as usual, pending disposal of the writ petition.

**Counsel for the Petitioner:**

1. M M M SRINIVASA RAO

**Counsel for the Respondent(S):**

1. GP FOR CIVIL SUPPLIES

**The Court made the following ORDER:**

Challenging the show-cause notice in Rc.Cs.No.1258/2025, dated 12.07.2025, issued by the 3<sup>rd</sup> respondent-Revenue Divisional Officer, proposing to cancel the petitioner's authorization as a Fair Price Shop dealer, the present writ petition is filed.

2. Heard Sri M.M.M. Srinivasa Rao, learned counsel for the petitioner and Sri Vineeth Appasani, learned Assistant Government Pleader for Civil Supplies.

3. Learned counsel for the petitioner, in elaboration to what has been stated in the affidavit, contended that initially the petitioner's father was appointed as the permanent Fair Price Shop dealer for the Shop No.1338045 situated in Peraipalle Village, Allagadda Mandal, Nandyal District, in the year 1991. Pursuant to the death of his father, the petitioner was appointed as a dealer to the subject shop on compassionate grounds and has been discharging duties without any compliant from any corner since then. He further submitted that earlier when the respondent authorities suspended the petitioner's authorization illegally, the petitioner got filed W.P.No.4312 of 2025 before this

Court and the same was allowed, setting aside the impugned order therein. Accordingly, the petitioner's authorization as Fair Price Shop dealer was renewed up to 31.03.2027. While so, at the instance of local political parties, the 3<sup>rd</sup> respondent once again framing the earlier charges, got issued another show-cause notice dated 12.07.2025, which was served on the petitioner on 23.07.2025.

Aggrieved by the said show-cause notice, the present writ petition has been filed and this Court, in order to protect the interest of the petitioner, has suspended the impugned show-cause notice by way of interim order dated 31.07.2025. As such, prayed to pass appropriate orders protecting the interest of the petitioner.

4. On the other hand, Sri Vineeth Appasani, learned Assistant Government Pleader for Civil Supplies submitted that the writ is not maintainable, as against the issuance of show cause notice. He further submitted that he can as well submit his explanation before the competent authority, instead of filing the present writ petition. As such, the writ petition is devoid of merits and prayed to dismiss the writ petition.

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

6. Admittedly, the petitioner is a permanent Fair Price Shop dealer. By virtue of interim orders passed by this Court dated 31.07.2025, the petitioner is continuing in the subject fair price shop.

A Show cause notice *vide* R.C.Cs.No.1258/2025 dated 12.07.2025 issued by the 3<sup>rd</sup> respondent has been impugned in this writ petition. As rightly contended by the learned Assistant Government Pleader for Civil Supplies, ordinarily writ does not lie against mere issuance of show cause of notice and he can as well submit his explanation before the competent authority. Entertaining writ petition against show cause notice dehorse the limit of Writ Jurisdiction. As held by the Hon'ble Apex Court in ***Union of India v. Kunisetty Satyanarayana***<sup>1</sup>, only very rare and exceptional cases, if it is found to be wholly without jurisdiction or for some other reason, if it is wholly illegal, Court can exercise power of judicial review at the stage of show cause notice/charge memo. The petitioner instead of submitting a

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<sup>1</sup> (2006) 12 SCC 28

detailed explanation raising all the grounds that are raised before this Court filed the present writ petition.

7. Keeping in view the facts and circumstances of the case, without going into the merits and demerits of the matter, this Court is inclined to dispose of the writ petition by passing the following order:

“The petitioner is at liberty to submit a detailed explanation to the show cause notice dated 12.07.2025. On such explanation, the authority concerned shall pass appropriate orders. Till such exercise is completed, not to take any coercive steps against the petitioner and continue him as fair price shop dealer.”

8. Accordingly, the writ petition is ***disposed of***. There shall be no order as to costs.

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

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**JUSTICE RAVI CHEEMALAPATI**

Date: 27.01.2026  
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**THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI**

**WRIT PETITION NO: 19934/2025**

Date: 27.01.2026  
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