



APHC010409752025



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



THURSDAY, THE FOURTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 21298 OF 2025

Between:

H.A.Ambika, D/o H.K.Anjaneyulu, aged about 27 years, Fair Price Shop Dealer for Shop No. 1257052, Lakshmi Mahila Sangham, Self Help Group, Kotipi, Hindupur Mandal, Sri Sathya Sai District

...Petitioner—

AND

1. State of Andhra Pradesh, represented by its Principal Secretary, Consumer Affairs, Food and Civil Supplies Department, at Secretariat, Velagapudi, Amaravathi, Guntur District
2. The Sub Collector/Revenue Divisional Officer, Penukonda, Sri Sathya Sai District
3. The Tahsildar, Hindupur Mandal, Sri Sathya Sai 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 of Mandamus or any other appropriate Writ or Writs, Order or Direction, declaring and setting aside the Suspension cum Show Cause Notice dated 31.7.2025 in Rc.No. 2190/2025/C on the file of the 2nd Respondent, as illegal, arbitrary, without jurisdiction and violative of principles of natural justice and to consequently direct the Respondents to allow the

petitioner to function as Fair Price Shop Dealer of F.P.Shop No. 1257052, Kotipi Fair Price Shop, Hindupur Mandal, Sri Sathya Sai District by regularly supplying essential commodities to the petitioner. ✓

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 to issue interim directions to the Respondents to allow the petitioner to function as Fair Price Shop Dealer of F.P.Shop No. 1257052, Kotipi Fair Price Shop, Hindupur Mandal, Sri Sathya Sai District, by regularly supplying the essential commodities to the petitioner, without reference to the Suspension cum Show Cause Notice dated 31.7.2025 in Rc.No. 2190/2025/C on the file of the 2nd Respondent, pending disposal of WP No. of 2025. ✓

Counsel for the Petitioner: SRI N RANGA REDDY ✓

Counsel for the Respondents: GP FOR CIVIL SUPPLIES ✓

The Court made the following order:



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

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**THURSDAY, THE FOURTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 21298/2025

Between:

1.H.A.AMBIKA, D/O H.K.ANJANEYULU, AGED ABOUT 27 YEARS.
FAIR PRICE SHOP DEALER FOR SHOP NO. 1257052, LAKSHMI
MAHILA SANGHAM, SELF HELP GROUP, KOTIPI, HINDUPUR
MANDAL, SRI SATHYA SAI DISTRICT

...PETITIONER

AND

1.STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL
SECRETARY, CONSUMER AFFAIRS, FOOD AND CIVIL SUPPLIES
DEPARTMENT, AT SECRETARIAT, VELAGAPUDI, AMARAVATHI,
GUNTUR DISTRICT

2.THE SUB COLLECTOR/REVENUE DIVISIONAL OFFICER,
PENUKONDA, SRI SATHYA SAI DISTRICT

3.THE TAHSILDAR, HINDUPUR MANDAL, SRI SATHYA SAI 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 topleased to issue a Writ of Mandamus or any other appropriate Writ or Writs, Order or Direction, declaring and setting aside the Suspension cum Show Cause Notice dated 31.7.2025 in Rc.No. 2190/2025/C on the file of the 2nd Respondent, as illegal, arbitrary, without jurisdiction and violative of principles of natural justice and to consequently direct the Respondents to allow the petitioner to function as Fair Price Shop Dealer of F.P.Shop No.

1257052, Kotipi Fair Price Shop, Hindupur Mandal, Sri Sathya Sai District by regularly supplying essential commodities to the petitioner

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 to issue interim directions to the Respondents to allow the petitioner to function as Fair Price Shop Dealer of F.P.Shop No. 1257052, Kotipi Fair Price Shop, Hindupur Mandal, Sri Sathya Sai District, by regularly supplying the essential commodities to the petitioner, without reference to the Suspension cum Show Cause Notice dated 31.7.2025 in Rc.No. 2190/2025/C on the file of the 2nd Respondent, pending disposal of WP No. of 2025

Counsel for the Petitioner:

1.N RANGA REDDY

Counsel for the Respondent(S):

1.GP FOR CIVIL SUPPLIES

The Court made the following:

ORDER:-

The petitioner is a Member of the Lakshmi Mahila Sanghal Self Help Group. She was appointed as a Fair Price Shop dealer for Shop No.1257052 of Kotipi Village, Hindupur Mandal, Sri Sathya Sai District, *vide* proceedings dated 31.07.2019.

2. While the matter being so, on 23.07.2025 due to political reasons, the 2nd respondent with an intention to terminate the petitioner's dealership has issued a show cause notice *vide* Rc.No.2190/2025/C dated 23.07.2025, alleging that the petitioner is not residing in Kotipi Village and she is residing in Lakshmipuram, Hindupur Mandal, directing the petitioner to appear before the 2nd respondent on 30.07.2025 at 11 A.M.

3. Accordingly, the petitioner appeared before the 2nd respondent on 30.07.2025 and also submitted an explanation, but, however, the 2nd respondent have refused to accept the said explanation. On 31.07.2025, the 2nd respondent has issued an another notice styled as suspension-cum-show cause notice, once again, directing the petitioner to appear before him on 07.08.2025 at 11 A.M to show cause notice the reasons regarding the allegations made against the petitioner, or to submit an explanation.

4. The grievance of the petitioner in the present writ petition is that, though she appeared before the 2nd respondent on 30.07.2025 and made her effort to submit her explanation, the 2nd respondent have refused to receive the same with an intention to cancel the petitioner's authorization and handover the said shop to the some others, due to political pressures and it is also the case of the petitioner is that the issuance of the 2nd show cause notice-cum-suspension dated 31.07.2025 is bad in law.

5. Heard learned counsel for the petitioner and as well as learned Assistant Government Pleader for Civil Supplies.

6. The learned Assistant Government Pleader for Civil Supplies furnished a copy of instructions duly stating that the 2nd respondent has issued a show cause notice on 23.07.2025, having identified that the petitioner was not residing in Kotipi village, as she is residing in Hindupur Town, directing the petitioner to appear before him on 30.07.2025, but, in spite of the same as the petitioner fail to appear before the respondent nor submitted any explanation, the 2nd respondent issued suspension-cum-show cause notice dated 31.07.2025, for cancellation of the petitioner's authorization.

7. On perusal of the impugned show cause notice dated 31.07.2025, nowhere, it is mentioned that the impugned show cause notice have been issued for cancellation of the petitioner's authorization. Admittedly, as stated by the learned counsel for the petitioner, the issuance of the 2nd show cause notice itself is bad, if at all, the petitioner has not submitted any explanation to the initial show cause notice, the respondents ought to have proceeded further. But, instead of doing so, they have issued another show cause notice dated 31.07.2025. It is also the case of the petitioner is that though the petitioner submitted her explanation on 30.07.2025 to the initial show cause notice dated 23.07.2025, the 2nd respondent has refused to accept the same.

8. In view of the same, instead of keeping the writ petition pending, this Court feels it appropriate to allow the writ petition by setting aside the show cause notice dated 31.07.2025. However, the petitioner is at liberty to submit her explanation to the show cause notice dated 23.07.2025, within a period of ten (10) days from the date of receipt of a copy of this order. Thereafter, the respondents shall pass appropriate orders in accordance with law, within a period of two (02) weeks, from the date of submission of the explanation by the petitioner.

9. Accordingly, the writ petition is allowed. There shall be no order as to costs.

Miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

Sd/- M RAMESH BABU
DEPUTY REGISTER

//TRUE COPY//



SECTION OFFICER

To,

1. The Principal Secretary, Consumer Affairs, Food and Civil Supplies Department, at Secretariat, Velagapudi, Amaravathi, Guntur District
2. The Sub Collector/Revenue Divisional Officer, Penukonda, Sri Sathya Sai District
3. The Tahsildar, Hindupur Mandal, Sri Sathya Sai District
4. One CC to Sri N Ranga Reddy Advocate [OPUC]
5. Two CCs to GP for Civil Supplies, High Court of Andhra Pradesh [OUT]
6. Two CD Copies

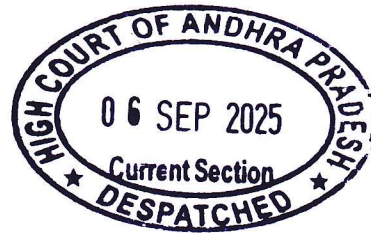
TF

HIGH COURT

DATED:14/08/2025

ORDER

WP NO. 21298 OF 2025



ALLOWING THE W.P. WITHOUT COSTS