



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

[3332]

WEDNESDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 23911/2024

Between:

1. KANCHANI LAKSHMIDEVI, W/O KANCHANI SIVANANDA REDDY, AGED ABOUT 30 YEARS, OCC FAIR PRICE SHOP DEALER (1135027) KUPPAM VILLAGE, CHAKRAYAPET MANDAL, YSR KADAPA DISTRICT.

...PETITIONER

AND

1. THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY, CIVIL SUPPLIES DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
2. THE DISTRICT COLLECTOR, KADAPA, YSR KADAPA DISTRICT.
3. THE JOINT COLLECTOR, KADAPA, YSR KADAPA DISTRICT.
4. THE REVENUE DIVISIONAL OFFICER, KADAPA, YSR KADAPA DISTRICT.
5. THE MANDAL TAHSILDHAR, CHAKRAYAPETA MANDAL, YSR KADAPA 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 writ of mandamus or any other appropriate writ

or direction the respondents no. 3 to 5 in insisting the petitioner for submission of resignation in respect of the shop vide F.P. Shop No.1135027 of Chinnamoraiahgarlpalli H/o Kuppam Village, Chakrayapet Mandal, YSR Kadapa District is as illegal, arbitrary and violative of Article 14 and 21 of the Constitution of India and also contrary to the control orders and consequently direct the respondents no. 3 to 5 not to harass the petitioner for submission of resignation in respect of the above shop and pass

IA NO: 1 OF 2024

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 3 to 5 to supply the essential commodities to the petitioner in respect of F.P. Shop No. 1135027 of Chinnamoraiahgarlpalli H/o Kuppam Village, Chakrayapet Mandal, YSR Kadapa District, pending disposal of the writ petition and pass

Counsel for the Petitioner:

1.P NARASIMHULU

Counsel for the Respondent(S):

1.GP FOR REVENUE

2.GP FOR CIVIL SUPPLIES

The Court made the following:

ORDER:

Questioning the action of the respondents in insisting the petitioner for submission of resignation in respect of fair price shop No.1135027 of Chinnamoraiahgarlapalli H/o Kuppam Village, Chakrayapet Mandal, YSR Kadapa District, the present writ petition is filed.

2. Heard Sri P.Narasimhulu, learned counsel for the petitioner and Sri Appasani Vineeth, learned Assistant Government Pleader for Civil Supplies.

3. Learned counsel for the petitioner while reiterating the contents of the affidavit contended that, the petitioner was appointed as a fair price shop dealer on temporary basis to the subject fair price shop on 18.09.2019, since then, she is supplying essential commodities to the utmost satisfaction of the cardholders and the officials. While so, the respondents with a malafide intention, are insisting the petitioner to submit resignation failing which they would foist case against her by raising false allegations, further, causing obstruction to the petitioner for distributing essential commodities to the cardholders. He further submitted that if such action is allowed to continue, it not only affects the rights of the petitioner but her livelihood would also be affected, as such, prayed to pass appropriate orders protecting the interest of the petitioner.

4. On the other hand, learned Assistant Government Pleader for Civil Supplies on counter submitted that no enquiry has been conducted on

the petitioner's resignation so far. He further submitted that having given resignation, the question of filing writ petition does not arise. He further submitted that the petitioner has been given the dealership on temporary basis only for a period of three months and no application or request was made by the petitioner to continue her as fair price shop dealer and as of now, the Village Revenue Assistant is supplying the material and with regard to continuation of her dealership, the petitioner has to take steps in accordance with law. The writ petition is misconceived, devoid of merits and liable to be dismissed, accordingly, prayed to dismiss the writ petition.

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

6. The respondent authorities are insisting the petitioner to resign as a fair price shop dealer in respect of the subject shop is the grievance of the petitioner. The contention of the respondents is that the petitioner herself submitted resignation. However, this Court is not inclined to adjudicate whether the petitioner has submitted her resignation or not. Even if the petitioner has submitted resignation, the appointing authority have to inquire into the same and verify whether she has sent the resignation out of her free will or by any vested interest or by force, by putting notice on the dealer and get confirmation from the dealer.

7. Taking the submission of the learned counsel for the parties and keeping in view of the facts and circumstances of the case, this Court is inclined to dispose of the writ petition by passing the following order:

“The respondent authority concerned is directed to enquire on the petitioner’s resignation if received and verify from the petitioner as to whether she has sent the said resignation out of her free will or the same was secured by any vested interest/by force and take steps in accordance with law.”

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.

JUSTICE RAVI CHEEMALAPATI

Date: 11th February, 2026

RKS