



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

[3332]

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

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 40705/2016

Between:

1. PREEMAKUMARI,, W/O. ADENNA, AGE 44 YEARS, OCC: FAIR PRICE SHOP DEALER OF SHOP NO. 1304033, NAGALADINNE VILLAGE, NANDAVARAM MANDAL, KURNOOL DISTRICT.
2. SMT. P. CHINNA ALLEMMMA,, W/O. MAHABUB BASHA, AGE 49 YEARS, OCC: FAIR PRICE SHOP DEALER OF SHOP NO. 1304003, NAGALADINNE VILLAGE, NANDAVARAM MANDAL, KURNOOL DISTRICT.
3. M. SATHYANARAYANA SETTY,, S/O RANGAIAH SETTI, AGE 68 YEARS. OCC: FAIR PRICE SHOP DEALER OF SHOP NO. 1304008, GANGAVARAM VILLAGE, NANDAVARAM MANDAL, KURNOOL DISTRICT.
4. D. SHABEER,, S/O. SASAVU, AGE 31 YEARS, OCC: FAIR PRICE SHOP DEALER OF SHOP NO. 1304013, NAGALADINNE VILLAGE, NANDAVARAM MANDAL, KURNOOL DISTRICT.
5. SUMITRA BAI,, W/O. A. VITTAL RAO, AGE 40 YEARS, OCC: FAIR PRICE SHOP DEALER OF SHOP NO. 1304012, NAGALADINNE VILLAGE, NANDAVARAM MANDAL, KURNOOL DISTRICT.
6. B. MADHANA,, S/O. UDURAPPA, AGE 58 YEARS, OCC: FAIR PRICE SHOP DEALER OF SHOP NO. 1304017, T. SOMALAGUDUR VILLAGE, NANDAVARAM MANDAL, KURNOOL

DISTRICT.

7. N. KOTESH,, S/O. BHAGAVANTHU, AGE 26 YEARS. OCC: FAIR PRICE SHOP DEALER OF SHOP NO. 1304021, KANAKAVEEDU VILLAGE, NANDAVARAM MANDAL, KURNOOL DISTRICT.

...PETITIONER(S)

AND

1.THE STATE OF ANDHRA PRADESH, REP.BY ITS PRINCIPAL SECRETARY, CONSUMER AFFAIRS, FOOD & CIVIL SUPPLIES DEPARTMENT, SECRETARIAT, HYDERABAD.

2.THE DIRECTOR OF CIVIL SUPPLIES, VIJAYAWADA, KRISHNA DISTRICT, ANDHRA PRADESH STATE.

3.THE JOINT COLLECTOR, KURNOOL DISTRICT AT KURNOOL.

4.THE REVENUE DIVISIONAL OFFICER, ADONI, KURNOOL DISTRICT.

5.THE TAHSILDAR, NANDAVARAM MANDAL, KURNOOL 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 a Writ order or direction, more particularly one in the nature of Writ of Mandamus, by declaring the action of 4 respondent in issuing proceedings Rc.M.4439/2016 dated 19.11.2016 directing the 5th respondent to recover the cost of the commodities in respect of unauthorized drawal of commodities from the writ petitioners and register criminal cases against the writ petitioners fair shop dealers of Shop Nos.3, 8, 12, 13, 17, 21 & 33 of Nandavaram Mandal, Kurnool District without completing enquiry by giving the reasonable opportunity to the writ petitioners fair price shops dealers as illegal, arbitrary and in violation of principals of natural justice and consequently direct the 4th respondent to complete the enquiry initiated against the writ petitioners without recovering the amount on unauthenticated drawl of commodities and registering criminal cases and

pass such other order or orders may deem fit and proper in the circumstances of the case.

IA NO: 1 OF 2016(WPMP 50142 OF 2016

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 suspend the operations of proceedings of the 4th respondent Rc.M.4439/2016 dated 19.11.2016 to the extent of recovery of amount and registering of criminal cases against the petitioners fair price shop dealers of Shop Nos.3, 8, 12, 13, 17, 21 & 33 of Nandavaram Mandal, Kurnool District" pending disposal of the above writ petition and pass such other order or orders may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner(S):

1.K V RAGHU VEER

Counsel for the Respondent(S):

1.GP FOR CIVIL SUPPLIES (AP)

WRIT PETITION NO: 40697/2016

Between:

- 1.SHAINAZ BEGUM,, W/O. MAHABUB BASHA, AGE 30 YEARS, OCC: FAIR PRICE SHOP DEALER OF SHOP NO. 1381035, YEMMIGANUR TOWN AND MANDAL, KURNOOL DISTRICT.
- 2.AMRUTHAVANI,, W/O. MADDISWARA REDDY, AGE 33 YEARS, OCC: FAIR PRICE SHOP DEALER OF SHOP NO. 1381043, YEMMIGANUR TOWN AND MANDAL, KURNOOL DISTRICT.
- 3.CHANNA BASAPPA,, S/O. THIMMAPPA, AGE 44 YEARS, OCC: FAIR PRICE SHOP DEALER OF SHOP NO. 1381003, YEMMIGANUR TOWN AND MANDAL, KURNOOL DISTRICT.
- 4.K.SAJIDULLA,, S/O. ATAVULLA, AGE 46 YEARS, OCC: FAIR PRICE SHOP DEALER OF SHOP NO. 1381032, YEMMIGANUR

TOWN AND MANDAL, KURNOOL DISTRICT.

- 5.M. NOOR AHMED,, S/O. LATE MABUSAB, AGE 64 YEARS, OCC:
FAIR PRICE SHOP DEALER OF SHOP NO. 1381028,
YEMMIGANUR TOWN AND MANDAL, KURNOOL DISTRICT.
- 6.S. MAHABUB BASHA,, S/O. MINNALLA SAB, AGE 34 YEARS,
OCC: FAIR PRICE SHOP DEALER OF SHOP NO. 1381031,
YEMMIGANUR TOWN AND MANDAL, KURNOOL DISTRICT.
- 7.VASUNDARAMMA,, W/O. D. ERANNA, AGE 48 YEARS, OCC:
FAIR PRICE SHOP DEALER OF SHOP NO. 1381042,
YEMMIGANUR TOWN AND MANDAL, KURNOOL DISTRICT.
- 8.T. YASODHA,, W/O. CHINNA NARAYANA, AGE 36 YEARS, OCC:
FAIR PRICE SHOP DEALER OF SHOP NO. 1321018,
YEMMIGANUR TOWN AND MANDAL, KURNOOL DISTRICT.
- 9.U. SAVITHRI,, W/O. U. SHANTHA KUMAR, AGE 32 YEARS OCC:
FAIR PRICE SHOP DEALER OF SHOP NO. 1381009,
YEMMIGANUR TOWN AND MANDAL, KURNOOL DISTRICT.

...PETITIONER(S)

AND

- 1.THE STATE OF ANDHRA PRADESH REP BY ITS PRINCIPAL,
SECRETARY, CONSUMER AFFAIRS, FOOD & CIVIL SUPPLIES
DEPARTMENT, SECRETARIAT, HYDERABAD.
- 2.THE DIRECTOR OF CIVIL SUPPLIES, VIJAYAWADA, KRISHNA
DISTRICT, ANDHRA PRADESH STATE.
- 3.THE JOINT COLLECTOR KURNOOL DISTRICT AT KURNOOL, -
- 4.THE REVENUE DIVISIONAL OFFICER ADONI KURNOOL
DISTRICT,
- 5.THE TAHSILDAR YEMMIGANUR MANDAL KURNOOL 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 a Writ order or direction, more particularly one in the nature of Writ of Mandamus, by declaring the action of 4th respondent in issuing proceedings Rc.M.4425/2016 dated 19.11.2016 directing the 5th respondent to recover the cost of the commodities in respect of unauthorized drawal of commodities from the writ petitioners and register criminal cases against the writ petitioners fair shop dealers of Shop Nos.3, 18, 19, 19, 21, 23, 28, 31, 32, 35, 36, 38, 39, 42 & 43 of Yemmiganur town and Mandal, Kurnool District without completing enquiry by giving the reasonable opportunity to the writ petitioners fair price shops dealers as illegal, arbitrary and in violation of principals of natural justice and consequently direct the 4th respondent to complete the enquiry initiated against the writ petitioners without recovering the amount on unauthenticated drawl of commodities and registering criminal cases and pass

IA NO: 1 OF 2016(WPMP 50134 OF 2016

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 suspend the operations of proceedings of the 4th respondent Rc.M.4425/2016 dated 19.11.2016 to the extent of recovery of amount and registering of criminal cases against the petitioners fair price shop dealers of Shop Nos. 3, 18, 19, 19, 21, 23, 28, 31, 32, 35, 36, 38, 39, 42 & 43 of Yemmiganur town and Mandal, Kurnool District, pending disposal of the above writ petition, pending disposal of the above writ petition and pass

Counsel for the Petitioner(S):

1.K V RAGHU VEER

Counsel for the Respondent(S):

1.GP FOR CIVIL SUPPLIES (AP)

The Court made the following:

COMMON ORDER:

To declare the action of the 4th respondent in issuing proceedings dated 19.11.2016 directing the 5th respondent to recover the cost of commodities in respect of unauthorized drawal of commodities from the petitioners and register criminal cases against their fair price shop dealers of Nandavaram Mandal, Kurnool District, without completing enquiry by giving opportunity, as illegal and arbitrary, the present writ petition is filed.

2. Since the issue involved in both the writ petitions are one and the same, these writ petitions are heard and disposed by way of this common order.

3. Sri K.V.Raghuveer, learned counsel for the petitioners submitted that during the pendency of the writ petition, as there are no interim orders passed in these writ petitions, FIRs have been registered, as such, the cause in the writ petitions has become infructuous, accordingly, sought liberty to the petitioners to pursue their cases.

4. Recording the said submission, the Writ Petition is ***dismissed as infructuous***. There shall be no order as to costs.

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

JUSTICE RAVI CHEEMALAPATI

Date: 04th February, 2026

RKS