

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

**WEDNESDAY, THE FIFTH DAY OF NOVEMBER,
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

THE HONOURABLE SMT JUSTICE V.SUJATHA

IA No. 1 OF 2025

IN

WP NO: 29141 OF 2025



Between:

Guntakal Sateesh Kumar, S/o. Guntakal Nagendra, aged 50 years, R/o.
H.No.MIG-1/95, APHB Colony Adoni, Kurnool, Andhra Pradesh, 518302

...Petitioner

(Petitioner in WP 29141 OF 2025

on the file of High Court)

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Civil Supplies Department, Velagapudi, Amaravati
2. The District Collector, (Civil Supplies) Kurnool, Kurnool District
3. The Joint-Collector, (Civil Supplies) Kurnool, Kurnool District
4. The Tahsildar, Adoni, Kurnool, Kurnool District
5. The Deputy Tahsildar, Adoni, Kurnool, Kurnool District
6. The Village Revenue Officer, (C.S) Kallubavi Village, Adoni, Kurnool District

...Respondents

(Respondents in-do-)

Counsel for the Petitioner : SRI K.V.RAGHU VEER

Counsel for the Respondents : GP FOR CIVIL SUPPLIES

Petition under Section 151 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 suspend the orders vide Rs.CSI/EC-69/2025 dated 14-08-2025 passed by the 2nd respondent, pending disposal of WP No.29141 of 2025, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

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

On perusal of the impugned proceedings, it appears that the 2nd respondent has failed to issue a notice under 6-B of the Essential Commodities Act, 1955 (for short "the Act"), which is mandatory under the Act before initiating proceedings under 6-A.

On the other hand, though the allegation of the respondents is that initially 1500 bags of suspected PDS rice were found in a private godown at Adoni, but however, on 14.06.2025, the Deputy Tahsildar, Adoni, along with other Revenue Staff, when opened the godown have found only 109 bags (22.50 quintals) of PDS rice and accordingly three notices were issued on 05.07.2025, 11.07.2025 and 06.08.2025 without even mentioning the provision under which the notices were issued.

However, despite the seizure being limited to 109 bags of PDS rice, the impugned proceedings were passed by the 2nd respondent confiscating the entire stock in favour of the Government and also imposing a penalty of Rs. 35,53,500/- without there being any basis for imposing such penalty. Nothing has been mentioned in the impugned order as to how the 2nd respondent arrived at the

conclusion that the petitioner is liable for a penalty of Rs. 35,53,500/-, when the seizure is only of 109 bags of PDS rice.

It is further observed that in the 6-A report submitted by the Tahsildar to the 2nd respondent, the name of the respondent is shown as "nil". Even as per the 6-A proceedings, it is stated that on 13.06.2025, the respondent officials received information from one Sri T. Mahesh Naidu, Director, Andhra Pradesh State Civil Supplies Corporation, regarding suspected illegal storage of PDS rice in a private godown at Adoni. However, nowhere the name of the godown or the owner of the godown has been mentioned.

In view of the same, there shall be an interim suspension of the impugned proceedings vide orders Rs.CS1/EC-69/2025 dated 14.08.2025 for a period of six (06) weeks.

List the matter after six (06) weeks.

In the meanwhile, learned Assistant Government Pleader for Civil Supplies, shall file a detailed counter.

//TRUE COPY//

Sd/- T.Srinivas Rao
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Civil Supplies Department, Velagapudi, Amaravati (by **Special Messenger**)
2. The District Collector, (Civil Supplies) Kurnool, Kurnool District
3. The Joint-Collector, (Civil Supplies) Kurnool, Kurnool District
4. The Tahsildar, Adoni, Kurnool, Kurnool District
5. The Deputy Tahsildar, Adoni, Kurnool, Kurnool District
6. The Village Revenue Officer, (C.S) Kallubavi Village, Adoni, Kurnool District (Addressee Nos.2 to 6 By **RPAD**)

7. One CC to Sri. K.V.Raghu Veer, Advocate [OPUC]
8. Two CCs to GP for Civil Supplies, High Court of Andhra Pradesh.
[OUT]
9. One spare copy

HIGH COURT

VS,J

DATED:05/11/2025

LIST THE MATER AFTER SIX (06) WEEKS

ORDER

IA.NO.1 OF 2025

IN

WP.No.29141 of 2025

INTERIM SUSPENSION

