



**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: 30349/2024

Between:

1. PARALA ESWARAMMA, W/O. VENKATA RAO, AGED 65 YEARS,
FP SHOP DELAR, SHOP. NO.0829005, R/O. CHIMAKURTHI
VILLAGE AND MANDAL, PRAKASAM DISTRICT, A.P

...PETITIONER

AND

1. THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY,
CIVIL SUPPLIES, SECRETARIAT AT VELAGAPUDI,
AMARAVATHI, GUNTUR DISTRICT

2. THE COLLECTOR AND DISTRICT MAGISTRATE, PRAKASAM
DISTRICT, ONGOLE

3. THE COLLECTORCS, PRAKASAM DISTRICT, ONGOLE.

4. THE REVENUE DIVISIONAL OFFICER, ONGOLE, PRAKASAM
DISTRICT

5. THE TAHSILDAR, CHIMAKURTHI, PRAKASAM DISTRICT

6. THE ADDL FOOD INSPECTOR, ONGOLE, PRAKASAM
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 be pleased to issue a Writ, Order or Direction, more particularly one in the nature of Mandamus, to declaring the action of 4th Respondent-R.D.O., Ongole, who suspended the authorisation of the petitioner through his proceedings, dated 10-12-2024 in Rc.No.1/3499/2024, is wholly illegal, arbitrary and opposed to the spirit of Judgments of this Hon'ble High Court and without given opportunity to petitioner and also mandatory provisions of Control Orders and also violate of principals of natural justice and without jurisdiction and set-aside the proceedings of 4th Respondent-R.D.O., Ongole dt.10-12-2024 in Rc.No.1/3499/2024 and consequently to direct the respondents to continue the petitioner as FP Shop dealer. Shop No 0829005 of Chimakurthi Village and Mandal, Prakasam District, A.P., and pass such

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 may be pleased to stay the proceeding of orders of learned R.D.O., Ongole(4th respondent), dated 10-12-2024 in Rc.No.1/3499/2024, pending disposal of the above Writ Petition and pass

Counsel for the Petitioner:

1. Alapati Vivekananda

Counsel for the Respondent(S):

1. GP FOR CIVIL SUPPLIES

The Court made the following:

ORDER:

Questioning the proceedings dated 10.12.2024 issued by the 4th respondent *vide* Rc.No.I/3499/2024 suspending the petitioner's authorization in respect of Fair Price Shop No.0829005, Chimakurthi Village and Mandal, Prakasam District, the present writ petition is filed.

2. Heard Sri Alapati Vivekananda, learned counsel for the petitioner and Sri Vineeth Appasani, learned Assistant Government Pleader for Civil Supplies for the respondents.

3. Learned counsel for the petitioner while reiterating the contents of the writ affidavit would contend that the authorities, alleging variations in the Fortified rice found during inspection of the Fair Price shop, issued show cause notice, for which the petitioner submitted explanation, however, the authorities, without considering the explanation, in a mechanical way, suspended the authorization of the petitioner without giving reasons in violation of the orders passed by this Court in ***K.Prabhavathi vs. State of A.P.***¹, therefore, the impugned suspension order is liable to be set aside. Accordingly, prayed to allow the writ petition.

4. Sri Vineeth Appasani, learned Assistant Government Pleader, justified the impugned order of suspension contending that as the authorities found variation in between fortified rice, suspended the authorization of the petitioner, pending final enquiry, after following the

¹ 2020(6) ALD 209

procedure contemplated under law. He would further contend that the writ petition being meritless deserves dismissal. Accordingly, prayed to dismiss the writ petition.

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

6. The petitioner's Fair Price shop dealership authorization was suspended pending enquiry. This Court vide orders dated 28.12.2024, suspended the impugned orders directing the respondents to continue the petitioner as Fair Price Shop Dealer.

7. Clause 8(4)(2) of the Andhra Pradesh Targeted Public Distribution System (Control) Order, 2018, mandates that the appointing authority shall dispose the disciplinary case filed against the fair price shop dealers as early as possible, preferably within a period of three (03) months from the date of filing, keeping in view of the convenience of the cardholders and for smooth functioning of Targeted Public Distribution System.

8. It is fairly conceded by the learned Assistant Government Pleader that enquiry had not been completed so far.

9. In view of the above, without going into the merits of the matter, this Court is inclined to dispose of the writ petition by passing the following order:

“The authorities shall conclude the enquiry within a period of two (02) months from the date of receipt of copy of this order. Till conclusion

of enquiry, the interim orders passed by this Court on 28.12.2024 shall continue.”

10. 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
JLV

310

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 30349/2024

Date: 11th February, 2026

JLV