



**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: 30641/2024

Between:

1.C RAMESH, S/O. LATE GANGANNA, AGED 34 YEARS, OCC.
F.P.SHOP DEALER OF SHOP.NO.1118031 R/O.
KOVARAMGUTTAPALLI VILLAGE, SIMHADRI PURAM MANDAL, YSR
KADAPA DISTRICT.

...PETITIONER

AND

- 1.THE STATE OF AP, REP. BY THE PRINCIPAL SECRETARY, CIVIL
SUPPLIES DEPARTMENT, SECRETARIAT BUILDINGS AT
VELAGAPUDI, AMARAVATHI, ANDHRA PRADESH.
- 2.THE DISTRICT COLLECTOR, YSR KADAPA DISTRICT AT KADAPA.
- 3.THE JOINT COLLECTOR, YSR KADAPA DISTRICT AT KADAPA.
- 4.THE REVENUE DIVISIONAL OFFICER, PULIVENDULA, YSR
KADAPA DISTRICT.
- 5.THE TAHSILDAR, SIMHADRI PURAM 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 a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd and 4th respondents in not allotting the essential commodities to the F.P shops held

by the petitioner at Kovaramguttapalli Village (Shop.No.1118031) of Simhadripuram Mandal, YSR Kadapa District without there being any reason though the petitioner authorization is valid and subsisting is illegal, arbitrary and violative of Articles 14, 19(1)(g) of the Constitution of India and also violative of Andhra Pradesh State Targeted Public Distribution System (Control) Order 2018 and principles of natural justice and consequently direct the respondents to continue the petitioner to hold F.P. shop Dealership of Kovaramguttapalli Village (Shop.No.1118031) of Simhadripuram Mandal, YSR Kadapa District 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 to continue the petitioner as F.P. shop Dealer and to supply essential commodities to the petitioner's fair price shop at Kovaramguttapalli Village (Shop.No.1118031) of Simhadripuram Mandal, YSR Kadapa District, pending disposal of Writ Petition, and to pass

Counsel for the Petitioner:

1.P NARAHARI BABU

Counsel for the Respondent(S):

1.GP FOR CIVIL SUPPLIES

The Court made the following:

ORDER:

The grievance of the petitioner is that the respondents are not allotting the essential commodities to the petitioner's Fair Price Shop bearing No.1118031 of Kovaramguttapalli Village, Simhadripuram Mandal, YSR Kadapa District.

2. Heard Sri P.Narahari Babu, 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 stopped supplying essential commodities to the Fair Price Shop of the petitioner. He would further contend that stoppage of supply of essential commodities without suspension or cancellation of the Fair Price Shop authorization is illegal and arbitrary. This Court, vide orders dated 23.12.2024, granted an interim order directing the respondents to continue the petitioner as Fair Price Shop Dealer and to supply essential commodities to the petitioner's Fair Price Shop. Accordingly, prayed to allow the writ petition.

4. Sri Vineeth Appasani, learned Assistant Government Pleader, fairly conceded that the authorities cannot stop supply of essential commodities, unless the Fair Price shop authorization of the petitioner is either suspended or cancelled and in the instant case there was neither suspension nor cancellation of the authorization and the authorities, if intend, would take steps

in accordance with law against the irregularities, if any, committed by the petitioner.

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

6. As rightly contended by the learned counsel for the petitioner and fairly conceded by the learned Assistant Government Pleader, there is neither suspension nor cancellation of the Fair Price shop authorization of the petitioner. Therefore, stoppage of supply of essential commodities for being distributed to the cardholders allocated to the Fair Price shop of the petitioner is unsustainable. This Court passed orders dated 23.12.2024 directing the authorities to supply stock to the petitioner and thereby petitioner continuing as fair price shop dealer.

7. It is brought to the notice of this Court by the learned Assistant Government Pleader that the petitioner has submitted his resignation; however, the said resignation was neither accepted nor rejected so far. However, this Court is not inclined to adjudicate whether the petitioner has submitted his resignation or not. Even if the petitioner has submitted resignation, the appointing authority has to enquire into the same and verify whether he has sent the resignation out of his free will or by any vested interest or by force, by putting the dealer on notice and obtaining confirmation from him.

8. In view of the submissions made by 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 authorities are directed to supply the essential commodities to the petitioner’s fair price shop till his/her authorization is suspended or cancelled in accordance with law. Insofar as resignation is concerned, the respondent authority concerned is directed to enquire into the petitioner’s resignation, if received, and verify from the petitioner as to whether he has sent the said resignation out of his free will or the same was secured by any vested interest/by force and thereafter take steps in accordance with law.”

9. 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: 11.02.2026.
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313

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 30641/2024

Date: 11.02.2026.
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