



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

[3333]

FRIDAY, THE FIFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 33792/2025

Between:

1.PALIVELA LAKSHMI CHANDRAKUMARI,, W/O. SATYANARAYANA,
OCC- FAIR PRICE SHOP DEALER, SHOP NO. 0439006, AGED 56
YEARS, R/O. DOOR NO. 23-8-208, YSR NAGAR,
RAMACHANDRAPURAM TOWN AND MANDAL, DR. B.R. AMBEDKAR
KONASEEMA DISTRICT, ANDHRA PRADESH.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS
PRINCIPLE SECRETARY (FOOD, CIVIL SUPPLIES AND
CONSUMER AFFAIRS (CS-I) DEPARTMENT) SECRETARIAT
BUILDINGS AT VELAGAPUDI, GUNTUR DISTRICT, ANDHRA
PRADESH.

2.THE JOINT COLLECTOR CS, DR. B.R. AMBEDKAR KONASEEMA
DISTRICT, ANDHRA PRADESH.

3.THE REVENUE DIVISIONAL OFFICER, RAMACHANDRAPURAM, DR.
B.R. AMBEDKAR KONASEEMA DISTRICT, ANDHRA PRADESH.

4.THE DEPUTY TAHSILDAR, CIVIL SUPPLIES DEPARTMENT,
RAMACHANDRAPURA M MANDAL, DR. B.R. AMBEDKAR
KONASEEMA DISTRICT, ANDHRA PRADESH.

...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 or Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents more particularly the respondents 3 and 4 in threatening to suspend/cancel the Petitioners Fair Price Shop Authorization No. 2/RCPM/2009 (FPS No. 0439006) situated at 14-2-7/7, Ankamyari Street, Ramachandrapuram under the guise of the proceedings dated 22.11.2025 without conducting proper enquiry as well as without considering her explanation as illegal, arbitrary and also violation of principles of natural justice and also to the provisions of Andhra Pradesh State Targeted (Public Distribution System) Control Order, 2018 consequentially suspend the proceedings dated 22.11.2025 passed by the 4th respondent by directing the respondents to continue the petitioner as fair price shop dealer to the shop No. 0439006 situated at 14-2-7/7, Ankamvari Street, Ramachandrapuram by supplying essential commodities and to pass

IA NO: 1 OF 2025

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 Proceedings dated 22.11.2025 of the 4th respondent by directing the respondents to continue the petitioner as fair price shop dealer to the shop No. 0439006 situated at 14-2-7/7, Ankamvari Street, Ramachandrapuram by supplying essential commodities pending disposal of the above writ petition and to pass

Counsel for the Petitioner:

1.V SAI KUMAR

Counsel for the Respondent(S):

1.GP FOR CIVIL SUPPLIES

The Court made the following:

ORDER:

The present writ petition came to be filed under Article 226 of the Constitution of India seeking the following relief:

“...to issue a Writ or Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents more particularly the respondents 3 and 4 in threatening to suspend/cancel the Petitioners Fair Price Shop Authorization No. 2/RCPM/2009 (FPS No. 0439006) situated at 14-2-7/7, Ankamvari Street, Ramachandrapuram under the guise of the proceedings dated 22.11.2025 without conducting proper enquiry as well as without considering her explanation as illegal, arbitrary and also violation of principles of natural justice and also to the provisions of Andhra Pradesh State Targeted (Public Distribution System) Control Order, 2018 consequentially suspend the proceedings dated 22.11.2025 passed by the 4th respondent by directing the respondents to continue the petitioner as fair price shop dealer to the shop No.0439006 situated at 14-2-7/7, Ankamvari Street, Ramachandrapuram by supplying essential commodities ”

2. Brief facts of the case are as follows:

a) The petitioner was appointed as a permanent Fair Price Shop dealer for Shop No.0439006, Ramachandrapuram Town and Mandal, Dr.B.R.Ambedkar Konaseema District, Andhra Pradesh in the year 1994. The petitioner's authorization was renewed from time to time and was valid up to 31.03.2027.

b) While the things stood thus, on 26.10.2025, the 3rd respondent along with the inspecting officials conducted a regular inspection in the petitioner's Fair Price Shop. During the course of inspection, certain variations were found

in the PDS rice and sugar. Subsequently, a mediator's nama was prepared on 22.11.2025.

d) The grievance of the petitioner is that the variations in the said essential commodities are minor in nature and permissible as per the Control Order. However, the respondents, without issuing any show-cause notice or initiating any disciplinary proceedings, are threatening to suspend the petitioner's authorization. Challenging the said action, the present writ petition is filed.

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

4. Learned Assistant Government Pleader for Civil Supplies, on oral instructions, has stated that, as on today, no disciplinary proceedings have been initiated against the petitioner, either by issuing a show-cause notice or by suspending or cancelling the petitioner's authorization.

5. The said instructions would establish the fact that, as on today, neither the petitioner's authorization has been suspended nor cancelled. In the absence of any such disciplinary action, the respondents have stopped supply of essential commodities to the petitioner's Fair Price Shop.

6. In this regard, the issue is squarely covered by the judgment of the Full Bench of this Court in ***Oleti Tirupathamma v. District Supply Officer (City), Visakhapatnam and others***¹, wherein it was categorically held as follows:

¹ 2002 (1) ALD 577

“A statutory authority, it is trite, must act within the four corners of the statute in terms of the statutory orders and procedure laid down to suspend the licence. As already noticed hereinbefore, the authorities under the relevant orders have power to suspend the authorisation or licence of the dealer. Without applying its mind and without taking recourse thereto, the Court should not normally permit the authorities, unless extraordinary situation exists, to allow them to do something indirectly, which they cannot do it directly. If a broad proposition to this effect is laid down, the same, in a given case may amount to abuse of the process of law. The High Court while exercising its jurisdiction under [Article 226](#) of the Constitution of India, acts sentinel qui vive and thus it has to protect the citizen from arbitrary and capricious action of the executive. If the licensing authority themselves upon application of mind come to the conclusion that the irregularities committed by the fair price shop dealer would warrant suspension of his licence, it may do so. But, in our considered opinion, the authority without taking recourse to the said action, cannot, refuse to supply the essential commodities. In the event an order of suspension of licence is passed, the authorities will have to make an alternative arrangement. But, in a case of this nature, the card holders would be the worst sufferers inasmuch their essential commodities would not be supplied to them at all.

7. In the light of the above settled legal position and in view of the admitted facts of the case, this Court is the opinion that, in the absence of any disciplinary action, suspension or cancellation of authorization, the respondents cannot stop supply of essential commodities to the petitioner's Fair Price Shop.

8. Accordingly, the Writ Petition is disposed of, directing the respondents to supply essential commodities to the petitioner's Fair Price Shop and to allow him to distribute the same to the cardholders until any disciplinary action

is initiated against the petitioner in accordance with law. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending shall stand closed.

Date: 05.12.2025
KGR

JUSTICE V.SUJATHA