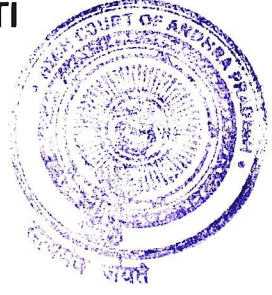


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

**WEDNESDAY, THE SEVENTEENTH DAY OF DECEMBER,
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

THE HONOURABLE MS JUSTICE B S BHANUMATHI



IA No. 1 OF 2025

IN

WP NO: 34897 OF 2025

Between:

M/s. Neeraja Lakshmi Venkata Satyanarayana Commercial Corporation,
Represented by its Proprietor, Atukuri Narasimha Rao S/o. Chinna
Subbaiah, Aged 47 years, R/o. D.No.3-61, Near Ankamma Temple,
Karampudi Village and Mandal, Palnadu District, Andhra Pradesh 522614.

...Petitioner

(Petitioner in WP 34897 OF 2025

on the file of High Court)

AND

1. State of Andhra Pradesh, Department of Agriculture, Rep. by its
Principal Secretary, Secretariat Buildings, Velagapudi Amaravati,
Guntur District.
2. The Commissioner and Director of Agriculture, For the State of Andhra
Pradesh, Nallapadu Road, Chuttugunta, Guntur - 522004.
3. The District Agriculture Officer, Narasaraopet, Palnadu District.
4. The Assistant Director of Agriculture, Office of the Assistant Director of
Agriculture, Piduguralla, Palnadu District.

...Respondents

(Respondents in-do-)

Counsel for the Petitioner :Sri.P SAI SURYA TEJA

Counsel for the Respondent No.1 to 4 :GP FOR AGRICULTURE

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 in Rc.No.AGC02-FERT/A2/2025 dated 11.11.2025 issued by the 4th respondent, Pending disposal of WP No. 34897 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:

This petition is filed to suspend the proceedings in Rc.No.AGC02-FERT / A2 / 2025 dated 11.11.2025 issued by the 4th respondent, pending disposal of the writ petition.

The learned Assistant Government Pleader for Agriculture placed on record a copy of the written instructions of the respondent No.4 vide memo No.AGC02-FERT / Legal / 2025 dated 12.12.2025 wherein while answering the allegations in the petition, a request was made to grant time for filing comprehensive counter affidavit in the main writ petition.

Heard the learned counsel for the petitioner and perused the copies of the material documents of bills bearing Nos.341 to 361 filed along with memo dated 16.12.2025.

Heard the learned Assistant Government Pleader for Agriculture and perused the copy of mediators report, F.I.R. etc.

The learned counsel for the petitioner submitted that though a show cause notice was given to the petitioner before passing order of suspension of the licence of the petitioner, after submission of the reply and before passing the final order of cancellation of the licence, no further notice was issued nor was any opportunity given to the petitioner to show the truth of the stand taken by the petitioner in his reply. He further submitted that since the impugned order of cancellation of licence was passed, not any independent enquiry, but merely on the

reference of the Commissioner and Director of Agriculture, Andhra Pradesh, Guntur, the remedy of appeal against the order of cancellation of the licence availed by the petitioner under clause 32 A of the Fertilizer Control Order, 1985 before the same authority i.e., the Commissioner and Director of Agriculture, Andhra Pradesh, Guntur is a mere formality and is against the principles of natural justice. Therefore, he submitted that inspite of the pendency of the appeal, the petitioner can avail the remedy of invoking writ jurisdiction. It is also contended by him that since the petitioner could not establish that the fertilizer under the bills was sold to the persons named therein, he had no fair opportunity of establishing his case and that except the alleged statement of the driver of the vehicles seized, there is no evidence to connect the petitioner to the alleged offence. He further submitted that the petitioner has no blame in his business run for the past two decades.

The learned Assistant Government Pleader for Agriculture submitted that the transactions were made through the online payment to the clerk of the petitioner and a detailed investigation would be taken up by the police and the present available documents indicate that the petitioner is guilty of illegal diversion of the fertilizer and that due opportunity was given to the petitioner by giving him a show cause notice for which he has submitted an explanation which is unsatisfactory. Since a detailed counter is required, he requested time to file counter.

Considering the above submissions and the material documents placed before this Court, interim order as prayed for is granted till 06.01.2026.

//TRUE COPY//

SD/-SK MD RAFI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Department of Agriculture, Rep. by its Secretariat Buildings, Velagapudi Amaravati, Guntur District.(By **Special Messenger**)
2. The Commissioner and Director of Agriculture, For the State of Andhra Pradesh, Nallapadu Road, Chuttugunta, Guntur – 522004.
3. The District Agriculture Officer, Narasaraopet, Palnadu District
4. The Assistant Director of Agriculture, Office of the Assistant Director of Agriculture, Piduguralla, Palnadu District. (addressee 2 to 4 by **RPAD**)
5. One CC to Sri. P Sai Surya Teja, Advocate [OPUC]
6. Two CCs to GP FOR AGRICULTURE ,High Court Of Andhra Pradesh. [OUT]
7. One spare copy

HIGH COURT

BSB,J

DATED:17/12/2025

INTERIM ORDER AS PRAYED FOR IS GRANTED TILL 06.01.2026.

ORDER

I.A.No.1 of 2025

IN

WP.No.34897 of 2025

INTERIM ORDER

