



**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**TUESDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND TWENTY TWO**

:PRESENT:

**THE HONOURABLE DR JUSTICE K MANMADHA RAO
WRIT PETITION NO: 39277 OF 2013**

Between:

M/s. Charoen Pokphand Seeds (India) Private Limited, Regd. Office at 1021/1, Service Road, Geetanjali Layout, New Thippasandra, HAL, III Stage, Bangalore-560 075 having got its factory at Mirjapuram Village, Nuziveedu Mandal, Krishna District, rep. by its Authorised Signatory.

...Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Agriculture & Cooperation Department, Secretariat Buildings, Hyderabad.
2. Agricultural Market Committee, Nuzvid, Krishna District, rep. by its Special Secretary.

...Respondents

Petition filed 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 particularly one in the nature of writ of Mandamus declaring the proceedings in Rc.No. 3/A/2008-13, dated 22.11.2013 and 09.12.2013 issued by the respondent No. 2 as illegal and ultra vires to the provisions of Articles 14 and 19(1)(g) of the Constitution of India besides being in violation of the provisions of the A.P. (Agricultural Produce and Livestock) Markets Act, 1966 and Rules framed thereunder besides directing not to proceed further.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of V S R ANJANEYALU Advocate for the Petitioner and of GP FOR AGRICULTURE for the Respondent No.1 and of SRI B.PRAKASAM, STANDING COUNSEL for the Respondent No.2 and the Court made the following

ORDER:

"Smt B.Rajya Lakshmi, learned counsel represented on behalf of Sri V.S.R. Anjaneyulu, learned counsel for the petitioner.

Learned Assistant Government Pleader appeared on behalf of the 1st respondent and Sri B.Prakasam, learned Standing Counsel appeared on behalf of the 2nd respondent.

Earlier, this Court, by order, dated 18.10.2022, directed the 2nd respondent i.e., Secretary, Agricultural Market Committee, Nuzvid, Krishna

District, to appear before this Court along with necessary records and the matter was directed to be posted on 01.11.2022.

Today, as per directions of this Court, the 2nd respondent is appeared but not filed any record or counters. However, they moved an application for dispensing with the appearance of the petitioner/ 2nd respondent. But this Court is not considered dispense with petition and further inclined to adjourn the matter.

As seen from the proceedings sheet, since the matter pertains to the year 2013, the respondents did not choose to file counter and again they sought time for filing counter. In spite of time granted by this Court on earlier occasions, they failed to comply with the Rule 12(1) of the Writ Rules.

Therefore, the respondents are directed to file counter along with leave petition explaining the delay causing in filing counter. Further, the 2nd respondent is also directed to appear before this Court on the next date of hearing i.e., on 08.11.2022.

Post on 08.11.2022."

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Agriculture & Cooperation Department, Secretariat Buildings, Hyderabad. (by RPAD)
2. The Special Secretary, Agricultural Market Committee, Nuzvid, Krishna District. (by SPEED POST)
3. One CC to SRI. V S R ANJANEYALU Advocate [OPUC]
4. Two CCs to GP FOR AGRICULTURE (AP) ,High Court Of Andhra Pradesh. [OUT]
5. One CC to SRI B.PRAKASAM, STANDING COUNSEL. [OPUC]
6. One spare copy

ER

HIGH COURT

Dr.KMR, J

DATED:01/11/2022

POST ON 08.11.2022.

ORDER

WP.No.39277 of 2013

APPEARANCE

