

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
TUESDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN
WRIT APPEAL Nos: 349 AND 350 OF 2026

WA.No. 349 of 2026

Between:

Siddi Vinayaka Vegetable Commission Agent, Shop No. 1-B, Gudimalkapur Market Yard, Hyderabad. Rep. by its Proprietor, Sri. P.Rajender Reddy, S/o. P. Yadagiri Reddy, aged about 55 years.

Appellant/Respondent No.5

AND

1. The State of Telangana, Rep. by its Principal Secretary, Agricultural Marketing Department, Secretariat Buildings, Hyderabad.
 2. The Director of Agricultural Marketing, Government of Telangana, BRKR Bhavan, Hill Fort, Hyderabad - 500 063.
 3. Agricultural Marketing Committee, Gudimalkapur Market Yard, Gudimalkapur, Hyderabad. Rep. by its Person-In-Charge.
 4. The Selection Grade Secretary, Agricultural Market Committee, Gudimalkapur Market Yard, Hyderabad.
- Respondents/Respondents 1 to 4
5. M/s. Shirige Prakash and Brothers, Commission Agent, Agricultural Market Committee, Gudimalkapur, Hyderabad, Telangana State, Rep. by its Proprietor, S. Madhu, S/o. S. Prakash

Respondents/Petitioner

Writ Appeal under Clause 15 of the Letters Patent Act, praying that in the circumstances stated in the appeal and the grounds filed therein, praying that the High Court may be pleased to allow the writ appeal setting aside the order dated. 08.10.2025 in review IA.No. 1 of 2024 in WP.No. 17873 of 2016;

IA NO: 3 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to stay all further proceedings in pursuance to the judgment dt. 08-05-2024 passed by the Hon'ble Court in WP.No. 17873 of 2016, pending disposal of WA.No. 349 of 2026 on the file of the High Court.

WRIT APPEAL NO: 350 OF 2026

Between:

Siddi Vinayaka Vegetable Commission Agent, Shop No. 1-B, Gudimalkapur Market Yard, Hyderabad. Rep. by its Proprietor, Sri. P.Rajender Reddy, S/o. P. Yadagiri Reddy, aged about 55 years.

Appellant

AND

1. The State of Telangana, Rep. by its Principal Secretary, Agricultural Marketing Department, Secretariat Buildings, Hyderabad.
 2. The Director of Agricultural Marketing, Government of Telangana, BRKR Bhavan, Hill Fort, Hyderabad -500 063.
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 4. The Selection Grade Secretary, Agricultural Market Committee, Gudimalkapur Market Yard, Hyderabad.
- Respondents/Respondents 1 to 4
5. M/s. Shirige Prakash and Brothers, Commission Agent, Agricultural Market Committee, Gudimalkapur, Hyderabad, Telangana State, Rep. by its Proprietor, S. Madhu, S/o. S. Prakash

Respondents/Petitioner

Writ Appeal under Clause 15 of the Letters Patent Act, praying that in the circumstances stated in the appeal and the grounds filed therein, praying that the High Court may be pleased to allow the writ appeal setting aside the order dated. 03.05.2024 in in WP.No. 17873 of 2016;

IA NO: 3 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to stay all further proceedings in pursuance to the judgment dt. 03-05-2024 passed by the Hon'ble Court in WP.No. 17873 of 2016, pending disposal of WA.No. 350 of 2026 on the file of the High Court.

These Appeals coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI BOMMINENI VIVEKANANDA Advocate for the Appellant in both the petitions, Smt. B. MOHANA REDDY, GP FOR AGRICULTURE AND MARKETING for respondent Nos. 1 and 2, in both the petitions, Dr. N. UMA SHANKAR, Standing Counsel for respondent Nos. 3 and 4 in both the petitions and SRI P. GANGAIAH NAIDU, Senior Counsel represents Ms. G. BHANU PRIYA, Counsel for respondent No.5 in both the petitions.

ORDER

Sri Bommineni Vivekananda, learned counsel appears for appellant/respondent No.5 in W.P.No.17873 of 2016, virtually.

Smt. B. Mohana Reddy, learned Government Pleader for Agriculture and Marketing appears for respondent Nos.1 and 2.

Dr. N. Uma Shankar, learned Standing Counsel for Agricultural Market Committee appears for respondent Nos.3 and 4.

Sri P. Gangaiah Naidu, learned Senior Counsel represents Ms. G. Bhanu Priya, learned counsel for respondent No.5/writ petitioner in W.P.No.17873 of 2016.

Learned Senior Counsel for respondent No.5/writ petitioner has appeared today and submitted that the appeal papers were not supplied to him. However, after passing of the order dated 24.03.2026, he has obtained the appeal papers and filed objections to the delay condonation application, I.A.No.1 of 2026, in Writ Appeal No.350 of 2026. He submits that in compliance of the order dated 03.05.2024 passed by the learned writ Court in W.P.No.17873 of 2016, the Secretary, Agricultural Market Committee, Gudimalkapur, has issued shop allotment order dated 18.03.2026, by which, shop No.1-B at Vegetable Market Yard has been allotted to respondent No.5/writ petitioner in W.P.No.17873 of 2016 on monthly rental basis with immediate effect. A copy of the said order dated 18.03.2026 has been annexed to the counter-affidavit filed in respect of I.A.No.1 of 2026 in W.A.No.350 of 2026. He seeks time to file objections to the delay condonation application, I.A.No.1 of 2026, in Writ Appeal No.349 of 2026.

Learned counsel for the appellant seeks time to file better affidavits in order to explain the delay in both these Writ Appeals.

Learned counsel for the State has, on written instructions, submitted that on enquiry, it has come to her notice that respondent No.5/ writ petitioner is not the proprietor of the firm. The actual proprietor was Sri S. Prakash, Son of late Mallappa, who expired on 21.10.2024. As such, respondent No.5/writ petitioner is not entitled to any relief in view of the death of the actual proprietor. However, she does not dispute that in view of the contempt proceedings, C.C.No.1324 of 2024, being pursued by respondent No.5/writ petitioner C.C.No.1324 of 2024, the shop allotment order in his favour has been issued on 18.03.2026 by the Secretary of the Agricultural Market Committee, Gudimalkapur.

In view of the above, a week's time is allowed to the learned counsel for the appellant to file better affidavits explaining the delay in both the Writ appeals. A week's time thereafter is allowed to the learned counsel for respondent No.5/writ petitioner to file objections, if any, to the delay condonation applications and the affidavit in support thereof. In view of the facts brought to the notice of this Court that the allotment order dated 18.03.2026 has been issued in favour of respondent No.5/writ petitioner in pursuance of the order of the writ Court, interim order dated 24.03.2026 passed by this Court is modified to the effect that any allotment made in favour of respondent No.5/writ petitioner would be subject to the outcome of the instant Writ Appeals.

List on 16.04.2026.

Sd/- MOHD.ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, State of Telangana, Agricultural Marketing Department, Secretariat Buildings, Hyderabad.
2. The Director of Agricultural Marketing, Government of Telangana, BRKR Bhavan, Hill Fort, Hyderabad - 500 063.
3. The Person-In-Charge Agricultural Marketing Committee, Gudimalkapur Market Yard, Gudimalkapur, Hyderabad.
4. The Selection Grade Secretary, Agricultural Market Committee, Gudimalkapur Market Yard, Hyderabad.
5. S. Madhu, Proprietor, M/s. Shirige Prakash and Brothers, Commission Agent, Agricultural Market Committee, Gudimalkapur, Hyderabad, Telangana State, S/o. S. Prakash.
(RR 1 to 5 by SPAD)
6. One CC to SRI. BOMMINENI VIVEKANANDA Advocate [OPUC]
7. Two CCs to GP FOR AGRICULTURE, High Court at Hyderabad. [OUT]
8. Two spare copies

HIGH COURT

HCJ
&
GMMJ

DATED:31/03/2026

LIST ON 16.04.2026

ORDER

WA.Nos.349 and 350 of 2026

STAY

