



2026:TSHC:5688
[3252]

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**MONDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 12062 OF 2026

Between:

K. Om Sai Krishna Kumar, S/o Late K.Prabhakar Aged 32 years, Occ Business
R/o H. no. 11-1-851, Seetharam bagh, Asif Nagar, Hyderabad, Telangana

...PETITIONER

AND

1. The State of Telangana, Civil Supplies department, Rep By Its Principal Secretary, Secretariat Buildings, Hyderabad, Telangana
2. The District Collector, Civil Supplies Hyderabad District Office at Lakdikapul Hyderabad
3. The Chief Rationing Officer, Hyderabad
4. The District Civil Supply Officer, Hyderabad
5. The Assistant Civil Supply Officer, Mehdipatnam Circle (Circle 5) Hyderabad

...RESPONDENTS

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 writ of mandamus declaring the action of the respondents in seizing the fair price shop bearing no. 1675509 under circle 5 mehdipatnam, located in H.No. 9-2-421, Langarhouse, Pensionpura, Hyderabad, Telangana State. as illegal, contrary to law, judicial precedents, fundamental rights, Right to life, livelihood and consequently direct the respondents herein to permit the petitioner to continue the fair price shop.



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I.A. NO: 1 OF 2026

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 3rd and 4th Respondents to continue the authorization of the Petitioners Fair Price Shop bearing 1675509 under circle 5 mehdipatnam, located in H.No. 9-2-421 langarhouse, Pensionpura by supplying essential commodities to the Petitioner notwithstanding the seizure of petitioners fair price shop under a panchanama dated 03.04.2026 pending disposal of the above writ petition.

Counsel for the Petitioner: SRI J.C FRANCIS

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following: ORDER



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**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HON'BLE MRS. JUSTICE SUREPALLI NANDA

WRIT PETITION No.12062 OF 2026

20th April, 2026

Between:

K.Om Sai Krishna Kumar

...Petitioner

AND

The State of Telangana and others

...Respondents

ORDER

**Heard Mr.J.C.Francis, learned counsel appearing on
behalf of the petitioner and learned Government Pleader
for Civil Supplies, appearing on behalf of respondent
Nos.1 to 5.**

**2. The petitioner approached the Court seeking prayer
as under:**

"...to issue writ of mandamus declaring the action
of the respondents in seizing the fair price shop bearing
No.1675509 under Circle 5, Mehdipatnam, located in
H.No.9-2-421, Langarhouse, Pensionpura, Hyderabad,



Telangana State as illegal, contrary to law, judicial precedents, fundamental rights, Right to life, livelihood and consequently direct the respondents herein to permit the petitioner to continue the fair price shop and to pass..."

3. The case of the petitioner, in brief, as per the averments made in the affidavit filed by the petitioner in support of the present Writ Petition is as under:

(i) On 02.04.2026, during the Hanuman Jayanthi procession, a traffic jam occurred in front of the Fair Price Shop, during which an unknown group of people along with Manikanta, Vamshi, Mahesh surrounded the petitioner and extorted money of Rs.50,000/- and upon the petitioner's refusal to meet their illegal demand, they threatened the petitioner with dire consequences, including the termination of petitioner's dealership and not permitted the petitioner to run the shop. The petitioner, being a dialysis patient, closed the shop and escaped.

(ii) On 03.04.2026, the Civil Supplies Inspector directed the petitioner to open the shop for physical verification and upon inspection, the stock was found short of (-80) kg Rice and (-83 kg) Wheat.



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(iii) Later, upon information of Police, another physical verification was conducted in some other vehicle which is no way connected to the petitioner's shop, wherein 3 bags of Rice and 3 bags of Wheat were found in the vehicle and were included in the petitioner's stock, resulting in surplus of (+70 kg) Rice and (+67 kgs) Wheat. The Civil Supply Inspector had lodged a complaint before the SHO Langer House and FIR No.75 of 2026 was registered and the authorities conducted panchanama and sealed the shop on 03.04.2026 without any justification or notice. Aggrieved by the same, the petitioner approached this Court by filing the present writ petition.

PERUSED THE RECORD:

DISCUSSION AND CONCLUSION:-

4. Learned counsel appearing on behalf of the petitioner mainly puts forth the following submissions:-

4.1. The fair price shop of the petitioner herein, bearing No.1675509 under Circle No.5, Mehdipatnam located at H.No.9-2-421, Langarhouse, Pensionpura, Hyderabad had been sealed on 03.04.2026 by conducting the panchanama based on certain frivolous allegations.



4.2. The petitioner was neither put on any prior notice nor provided any opportunity of personal hearing before sealing the petitioner's fair price shop.

4.3. An FIR No.75 of 2026, dated 03.04.2026, was registered on the file of Langarhouse Police Station, Hyderabad, alleging that the petitioner committed offences under Section 318(4) of Bharatiya Nyaya Sanhitha, 2023 and Section 7 of the Essential Commodities Act, 1955.

4.4. The pendency of a criminal case cannot be a ground to seal the petitioner's fair price shop bearing No.1675509 under Circle No.5, Mehdipatnam located in H.No.9-2-421, Langarhouse, Pensionpura, Hyderabad and the petitioner is entitled for consideration of petitioner's case for restoration of the dealership of the subject fair price shop No.1675509, as held by this Court in its orders dated 22.02.2024 passed in W.P.No.2988 of 2024 and orders dated 29.08.2019 passed in W.P.No.18818 of 2019.

4.5. As on the date, no proceedings have been issued suspending the authorization of the fair price shop dealership pertaining to the subject fair price shop and therefore, the subject Fair Price Shop bearing No.1675509 under Circle No.5, Mehdipatnam located at H.No.9-2-421, should be desealed



forthwith and the petitioner should be permitted to distribute the essential commodities to the card holders.

Basing on the aforesaid submissions, learned counsel appearing on behalf of the petitioner contends that the petitioner is entitled for grant of the relief as prayed for by the petitioner in the present writ petition.

5. Learned Assistant Government Pleader appearing on behalf of respondents submits that the proceedings under Section 6A of the Essential Commodities Act, 1955 is pending for disposal and that departmental action had been initiated against the petitioner herein. A show-cause notice dated 15.04.2024 was issued, framing certain charges and directed the petitioner to attend a personal hearing. Therefore, the petitioner can be directed to approach the competent authority.

6. A bare perusal of the record indicates that the subject fair price shop bearing No.1675509 had been sealed by the respondents herein on 03.04.2026, after conducting the panchanama, and proceedings under Section 6A of the Essential Commodities Act, 1955 had



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been initiated. It is settled law that pendency of proceedings under Section 6A of the Essential Commodities Act, 1955 cannot be a ground for not permitting the petitioner to continue the petitioner's fair price shop dealership.

7. This Court in the Judgment reported in 2008(1) ALD Page No.768 in Shaik Raheema Vs. Joint Collector, Nellore and another, in Judgment reported in 1993(3) ALT 442 in P.Hanumantha Rao Vs. Chief Rationing Officer, Twin Cities, Hyderabad and another and in the Judgment reported in 1991(1) ALT 174 in P. Lakshmi Narasaiah Vs. Joint Collector, Cuddapah and another had categorically held that initiation of 6-A proceedings itself does not authorize the Revenue Divisional Officer to suspend the authorization of the fair price shop dealer.

8. Taking into consideration the principle laid down in the aforesaid judgments, this Court opines that the petitioner is entitled for grant of consideration of petitioner's request to permit the petitioner to continue the dealership of fair price shop bearing No.1675509 under Circle 5, Mehdipatnam, located in H.No.9-2-421,



Langarhouse, Pensionpura, Hyderabad, Telangana State in accordance to law within a reasonable period.

9. Taking into consideration :

(a) The aforesaid facts and circumstances of the case,

(b) The submissions of the learned counsel appearing on behalf of the petitioner and the learned Government Pleader for Civil Supplies, appearing on behalf of respondent Nos.1 to 5,

(c) The fact as borne on record that as on date, there is no suspension of license of the petitioner which is even not disputed by the learned Assistant Government Pleader appearing on behalf of the respondents. However, the petitioner is not able to continue the distribution of essential commodities in view of the sealing of the subject fair price shop on 03.04.2026,

(d) The principle of law laid down in the judgments enlisted below :

(i) 2008(1) ALD Page No.768 in Shaik Raheema Vs. Joint Collector, Nellore and another,



(ii) 1993(3) ALT 442 in P.Hanumantha Rao Vs. Chief Rationing Officer, Twin Cities, Hyderabad and another,

(iii) 1991(1) ALT 174 in P. Lakshmi Narasaiah Vs. Joint Collector, Cuddapah and another [referred to above]

(e) The discussion and conclusion as arrived at paragraph Nos.4 to 6 of the present order,

The Writ Petition is disposed of, directing the respondents to forthwith consider the request of the petitioner for continuation of the petitioner's fair price shop dealership for shop bearing No.1675509 under Circle No.5, Mehdipatnam located at H.No.9-2-421, Langarhouse, Pensionpura, Hyderabad and to permit the petitioner to supply essential commodities notwithstanding the seizure of the fair price shop under the panchanama dated 03.04.2026 duly considering the principle of law laid down in 2008(1) ALD Page No.768 in Shaik Raheema Vs. Joint Collector, Nellore and another, in Judgment reported in 1993(3) ALT 442 in P.Hanumantha Rao Vs. Chief Rationing Officer, Twin Cities, Hyderabad and another and in the Judgment reported in 1991(1) ALT



174 in P. Lakshmi Narasaiah Vs. Joint Collector, Cuddapah
and another within a period of one (01) week from the
date of receipt of a copy of this order and pass
appropriate orders pertaining to the said request of the
petitioner and duly communicate the decision to the
petitioner. However, there shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ
Petition, shall stand closed.

//TRUE COPY//

SD/- M.JAWAHAR REDDY
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Civil Supplies department, Secretariat Buildings, Hyderabad, Telangana
2. The District Collector, Civil Supplies Hyderabad District Office at Lakdikapul Hyderabad
3. The Chief Rationing Officer, Hyderabad
4. The District Civil Supply Officer, Hyderabad
5. The Assistant Civil Supply Officer, Mehdipatnam Circle (Circle 5) Hyderabad
6. One CC to SRI J.C FRANCIS, Advocate [OPUC]
7. Two CCs to GP FOR CIVIL SUPPLIES, High Court for the State of Telangana, at Hyderabad [OUT]
8. Two CD Copies

PMK

TKS



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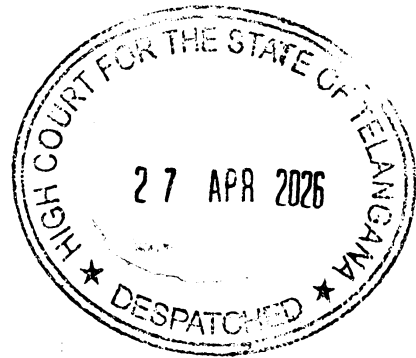
HIGH COURT

CC TODAY

DATED: 20/04/2026

ORDER

WP.No.12062 of 2026



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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mt
25/4/26