

[3219]

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

TUESDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

**THE HON'BLE SMT JUSTICE T.MADHAVI DEVI
WRIT PETITION NO: 36999 OF 2024**

Between:

Smt.Thimmareddy Rajya Laxmi, Wife of Srinivasa Reddy

Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary, Consumer Affairs, Food and Civil Supplies Secretariat Buildings, Hyderabad.
2. The Collector (Civil Supplies), Suryapet District, Integrated Collectorate At Suryapet town and District.
3. The District Civil Supply Officer, Suryapet District, Integrated Collectorate, At Suryapet Town and District.
4. The Revenue Divisional Officer, Kodad, O/o Revenue Divisional Officer, Kodad, Suryapet District
5. The Tahasildar, Munagala Mandal O/o Tahasil Office, Munagala Mandal, Suryapet District.
6. Deputy Tahasildar (C.S), Munagala Mandal, O/o D.C.S.O., Integrated Collectorate, At Suryapet Town and District

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 an appropriate writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declare the action of the Fourth respondent suspending Authorization of the Petitioner's Fair Price Shop dated 21-12-2024 in Proceedings No.D/1121/2024 on false and vague allegations is illegal improper and without any power or authority under law and null and void pending disposal of the main Writ petition, consequently directing the Respondents to return back the shifting stocks i.e., 36.50 Qtls and 0.64 Qtls of rice together with E.Pos Machine, further restore the supplying of the Essential Commodities to the Petitioner Fair Price shop for the purpose of distribution to the card holders.

IA NO: 1 OF 2024

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 directing the Respondents to return back the shifted stocks i.e., 36.50 Qtls and 0.64 Qtls of rice together with E.Pos Machine and restore the supplying of the Essential Commodities to the Petitioner Fair Price shop for the purpose of distribution to the card holders, Pending disposal of WP 36999 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri SOMAVARAPU SATYANARAYANA, Advocate for the Petitioner, GP FOR CIVIL SUPPLIES, for the Respondent Nos.1, 2, 3, 5 & 6 and GP FOR REVENUE, for the Respondent No.4, the Court made the following

ORDER:

Notice before admission.

Learned Government Pleader for civil supplies takes notice on behalf of respondent Nos. 1, 2, 3, 5 & 6 and waives further notice.

Learned Government Pleader for Revenue takes notice on behalf of respondent No.4 and waives further notice and seeks time to file counter affidavit.

Registry is directed not to take out notices to respondent Nos. 1 to 6 in view of this waiver.

Learned counsel for the petitioner submitted that on the ground that 64 quntals of rice was found in excess in the petitioner's shop, the authorization of the petitioner has been suspended. The discrepancy was explained as the rice drawn by two of the card holders, who have kept the rice in the shop, as they were unable to lift the heavy bags. It is submitted that no other variations were found.

As it is seen that there are no other variations in the stock of the petitioner, this Court deems it fit and proper to grant interim suspension of the suspension order, dated 21.12.2024 and the respondent authorities are directed to provide the essential commodities to the petitioner along with Electronic Point of Sale (EPOS) machine for further distribution.

List on 04.02.2025.

SD/-A.SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Consumer Affairs, State of Telangana, Food and Civil Supplies Secretariat Buildings, Hyderabad.
2. The Collector (Civil Supplies), Suryapet District, Integrated Collectorate At Suryapet town and District.
3. The District Civil Supply Officer, Suryapet District, Integrated Collectorate, At Suryapet Town and District.
4. The Revenue Divisional Officer, Kodad, O/o Revenue Divisional Officer, Kodad, Suryapet District
5. The Tahasildar, Munagala Mandal O/o Tahasil Office, Munagala Mandal, Suryapet District.
6. Deputy Tahasildar (C.S), Munagala Mandal, O/o D.C.S.O., Integrated Collectorate, At Suryapet Town and District (Nos.1 to 6 by RPAD)
7. One CC to SRI. SOMAVARAPU SATYANARAYANA, Advocate [OPUC]
8. Two CCs to GP FOR CIVIL SUPPLIES, High Court at Hyderabad. [OUT]
9. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
10. One spare copy

HIGH COURT

TMD, J

DATED:31/12/2024

LIST ON 04.02.2025

ORDER

WP.No.36999 of 2024

DIRECTION

