

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

FRIDAY, THE NINETEENTH DAY OF APRIL,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 747 OF 2024



Between:

M/s.Venkata Srinivasa Rice Enterprises, Rep. by its Sole Proprietor,
Somisetty Satish Kumar, S/o.Subbarao, aged about 40 years, R/o.29-2-42/1,
Ramamandiram Street, L.G.Services Center, Governorpet, Vijayawada,
Buckinghampet, Andhra Pradesh-520002

PETITIONER

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary,
Agricultural and Co-operation Department, Secretariat, Velagapudi,
Amaravathi, Guntur District.
2. The Commissioner and Director of Agricultural Marketing, Guntur,
Guntur District.
3. The Chairman, the Agricultural Market Committee, Vijayawada, NTR
District (formerly Krishna).
4. The Agricultural Market Committee, Gollapudi, Rep. by its Secretary,
Vijayawada, NTR District (formerly Krishna).

RESPONDENTS

Petition under Article 226 of the Constitution of India is filed praying that
in the circumstances stated in the affidavit filed therewith, the High Court may
be pleased to issue a writ, order or direction, one more particularly in the
nature of Writ of Mandamus declaring the action of Respondents, more
particularly the 4th Respondent herein in issuing proceedings bearing

Rc.No.38/2023, Dt.12.10.2023, rejecting the Representation Dt.12.09.2023 of the Petitioner herein to stop Levying Cess on Sale of Basmati Rice purchased from other States despite the same having been paid in the state of origin, as being illegal, arbitrary, without jurisdiction, violative of Principles of Natural Justice and in violation of Articles 14, 19(1)(g) and 21 of the Constitution of India and contrary to the provisions of the Andhra Pradesh (Agricultural Produce and Live Stock) Markets Act, 1966, and the Andhra Pradesh (Agricultural Produce and Live Stock) Market Rules, 1969 and Consequently direct the 4th Respondent herein to stop the levy of cess towards the sale of Basmati Rice purchased from other states;

IA NO: 1 OF 2024

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents herein not to levy any cess on the sale of Basmati rice procured/ purchased from other states, pending disposal of W.P.No.747 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 the Order of the High Court, dated 10.01.2024 & 23.01.2024, 07.02.2024, 16.02.2024 & 05.03.2024 made herein and upon hearing the arguments of Mr. N.Ashwani Kumar, Advocate for the Petitioner and of Mr.B.Prakasam, learned Standing Counsel for Agricultural Market Committee for the Respondents, the Court made the following;

ORDER:

“At request of both the learned counsels, post the matter on 25.04.2024, for hearing, as the pleadings have already been completed.

Interim order granted earlier is extended for a further period of ten (10) days.”

Sd/- U. SRI DEVI
A ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

For A

To,

1. One CC to SRI.N.ASHWANI KUMAR Advocate [OPUC]
2. Two CCs to GP for Agriculture, High Court of Andhra Pradesh. [OUT]
3. One CC to Sri.B.Prakasam, Standing Counsel (OPUC)
4. One spare copy

SRL

HIGH COURT

VS,J

DATED: 19/04/2024

NOTE: POST THE MATTER ON 25.04.2024 FOR HEARING

ORDER

WP.No.747 of 2024

EXTENSION OF INTERIM ORDER

