



**IN THE HIGH COURT OF ANDHRA PRADESH  
AT AMARAVATI  
(Special Original Jurisdiction)**

[3311]

FRIDAY ,THE TWENTY SIXTH DAY OF JULY  
TWO THOUSAND AND TWENTY FOUR

**PRESENT**

**THE HONOURABLE MS JUSTICE B S BHANUMATHI**

**WRIT PETITION NO: 16048/2024**

**Between:**

P. Babu Naik

**...PETITIONER**

**AND**

The State Of Andhra Pradesh and Others

**...RESPONDENT(S)**

**Counsel for the Petitioner:**

1.K NARSI REDDY

**Counsel for the Respondent(S):**

1.GP FOR REVENUE

2.GP FOR CIVIL SUPPLIES

**The Court made the following Order:**

This writ petition is filed seeking the following relief:

“...to issue a writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3<sup>rd</sup> and 4<sup>th</sup> respondents in not allotting the essential commodities to the F.P shops held by the petitioner at Somandepalli Village (Shop.No.1254033) of Somandepalli Mandal, Sri Satya Sai District Erstwhile Anantapur District without there being any reason without issuing any notice to the petitioner though the petitioner authorization is valid and subsisting is illegal arbitrary and violative of Articles 14 19(1)(g) of the Constitution of India and also violative of Andhra Pradesh State Targeted Public Distribution System (Control) Order 2018 and principles of natural justice and consequently direct the respondents to continue the petitioner to hold F.P

shop Dealership of Somandepalli Village (Shop.No.1254033) of Somandepalli Mandal, Sri Satya Sai District Erstwhile Anantapur District..."

02. The case of the petitioner is briefly as below:

The petitioner is functioning as a fair price shop dealer (Shop. No.1254033) of Somandepalli Village, Somandepalli Mandal, Sri Satya Sai District Erstwhile Anantapur District, since 21.01.2015 and discharging his duties without any fault or complaint from anybody. On 23.07.2024, the 5th respondent instructed him not to deposit the cheque for issuance of essential commodities and the 5th respondent orally instructed that commodities will not be issued for the current month and that he will not accept cheque/amount for supply of essential commodities. The petitioner orally requested the 4th respondent to do the needful by explaining about his family status and regarding distribution of essential commodities to the cardholders by him for all these years without any complaints. The 5th respondent replied that due to recent changes in the Government, there are local political pressures on them and therefore, the respondents No.3 to 5 are trying to allot the dealership to the persons of their choice and planned to distribute the essential commodities through third parties without following any procedure.

03. The learned Assistant Government Pleader for Civil Supplies submitted that so far, no action had been taken for suspending the authorization/license of the petitioner and all the allegations made in the

affidavit are baseless. He further submitted that it is only due to unfounded apprehension, the petition has been filed.

04. The learned counsel for the petitioner further submitted that appropriate orders may be passed in this regard.

05. So far, as no action has been initiated against the petitioner herein to cancel/suspend the authorization/license of the petitioner, the petitioner is entitled to regular supply of essential commodities subject to payment of the necessary amount and following the procedure.

06. In the result, the writ petition is disposed of with a direction to the respondent authorities to continue the supply of essential commodities to the petitioner on compliance of the requirements as per the procedure, so long as the authorization is subsisting. It is open for the respondent authorities to take action as per law if any violation is found. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

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**JUSTICE B.S.BHANUMATHI**

Date: 26.07.2024.

**Note:**

**Issue CC by 30.07.2024**

**b/o**

**PNS**