

**HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA  
PRADESH**

FRIDAY, THE FIFTH DAY OF SEPTEMBER,  
TWO THOUSAND AND FOURTEEN

:PRESENT:

**THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

WP .NO: 25995 of 2014

Between:

- 1 K.Narayana Reddy, S/o K.Venkataswamy Reddy,
- 2 S.Srinivasa Reddy, S/o S.Narasimha Reddy,
- 3 R.Panduranga, S/o R. Sangaiah,
- 4 D.Tirupathi Reddy, S/o D.Konda Reddy,
- 5 Y.Tirupathi Reddy, S/o Y.Nagi Reddy,
- 6 Shaik Mohiddin S/o Pedda Saida,
- 7 P.Venkata Reddy, S/o P.Krishna Reddy,
- 8 Shaik Mastan , S/o Shaik Lateef,
- 9 Smt Y.Padmavathi , W/o Chandramouli Reddy,
- 10 K.Venkateswara Reddy, S/o K.Tirupathi Reddy,
- 11 Md.Fazal , S/o Md.Ayub,
- 12 V.Narasimha Rao, S/o V.Venkateswarulu,
- 13 B.Konda Reddy, S/o B. Venkata Subba Reddy,
- 14 Shaik Nagoorvali , S/o Shaik Khasim,
- 15 S.Koteswara Rao, S/o S.Chinna Babu

**..... Petitioners**

AND

- 1 The Commissioner, Agricultural & Marketing, Govt. of Andhra Pradesh,  
BRKR Buildings, Hyderabad.
- 2 The Agricultural Market committee, Narasaraopet, Rep.by its Special  
Grade Secretary, FAC, Narasaraopet, Guntur District.

**.....Respondents**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue an order or direction one in the nature of Writ of Mandamus declaring the action of the 2<sup>nd</sup> respondent in issuing respective Notices dt.02-8-2014 directing the respective petitioners to vacate and handover the possession of the premises of the respective shops bearing. 1) Shop No.4, Block-A,(Ground Floor), 2) Shop No.3, Block-A(G.F.), 3) Shop No.4, Block-B(G.F), 4). Shop No.7, Block-A(G.F.), 5) Shop No.8, Block-A(G.F.), 6) Shop No.2, Block-B(G.F.), 7) Shop No.6, Block-A(G.F.), 8) Shop No.5, Block-A(G.F.), 9) Shop No.2, Block-C(G.F), 10) Shop No.6, Block-B(G.F.), 11) Shop No.5, Block-C(G.F.), 12) Shop No.1, Block-C(G.F), 13) Shop No.15, Block-A, (1<sup>st</sup> Floor), 14) Shop (under the stairs Block-B(G.F) and 15) Shop No.9, Block-A,(1<sup>st</sup> Floor) allotted to the petitioners respectively in shopping complex, Market yard, Agricultural Market committee, Narasaraopet, Guntur Dist., as illegal and arbitrary and violative of Art.14 & 21 of the Constitution of India and fly in the face of the law laid down by the Hon'ble Supreme Court and consequently

direct the 2<sup>nd</sup> respondent to renew the respective lease agreements in enforcement of the decision taken by its resolution dt.21-02-2014 and in conformity with covenant/C1.No.3 of the lease agreements.

**WPMP.NO: 32481 of 2014**

Petition under Section 151 of C.P.C. praying that in the circumstances stated in the affidavit filed in the W.P., the High Court may be pleased to suspend the respective Notices dt.02-8-2014, issued by the 2<sup>nd</sup> respondent to the respective petitioners in relation to respective Shops bearing 1) Shop No. 4, Block-A,(Ground Floor), 2) Shop No.3, Block-A(G.F.), 3) Shop No.4, Block-B(G.F.), 4) Shop No.7, Block-A(G.F.), 5) Shop No.8, Block-A(G.F.), 6).Shop No.2, Block-B(G.F.), 7) Shop No.6, Block-A(G.F.), 8) Shop No.5, Block-A(G.F.), 9) Shop No.2, Block-C(G.F.), 10) Shop No.6, Block-B(G.F.), 11) Shop No.5, Block-C(G.F.), 12) Shop No.1, Block-C(G.F.) 13) Shop No.15, Block-A,(1<sup>st</sup> Floor), 14) Shop (under the stairs), Block-B(G.F) and 15) Shop No.9, Block-A,(1<sup>st</sup> Floor) allotted to the petitioners respectively in Shopping complex, Market yard, Narasaraopet, Guntur Dist., pending disposal of WP No.25995 of 2014 on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and upon hearing the arguments of Sri G. Ramachandra Reddy, Advocate for the Petitioners, G.P. for Agriculture (AP) for Respondent No.1 and Smt. K. Lalitha, Standing Counsel for Respondent No.2, the Court made the following

**ORDER:**

**This Court passed an interim order dated 26-08-2014 in W.P.M.P.No.29353 of 2014 in W.P.No.23434 of 2014 in respect of one of the shops in the Shopping Complex, Market Yard, Narsaraopet, Guntur District. The petitioners are also the lessees of some of the shops in the same complex and seeks similar direction.**

**On the other hand, learned Standing Counsel opposed the same stating that the Commissioner and Director of Agricultural Marketing, Hyderabad also rejected the proposal vide proceedings Lr.No.S.I(2) 637/2014, dated 01-08-2014 and unless the petitioners challenged the said proceedings, the writ petition is not maintainable.**

**Since this Court has already passed interim orders in respect of some of the shops in the same complex and for maintaining uniformity, there shall be interim direction as prayed for. However, the contentions raised by the learned Standing Counsel can be looked into after filing counter.**

**Post this writ petition along with W.P.No.23434 of 2014 after two weeks in the Motion List.**

**Print the name of K.Lalitha for R-2.**

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Commissioner, Agricultural & Marketing, Govt. of Andhra Pradesh, BRKR Buildings, Hyderabad.
- 2 The Special Grade Secretary, Agricultural Market committee, Narasaraopet, FAC, Narasaraopet, Guntur District.  
**(Addressees 1 & 2 BY RPAD)**
- 3 One CC to Sri G. Ramachandra Reddy, Advocate (OPUC)
- 4 Two CCs to the G.P. for Agriculture (AP), High Court, Hyderabad. (OUT)
- 5 One spare copy.

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**HIGH COURT**

**ARR,J**

**DATED: 05-09-2014**

**NOTE: Post along with WP No.23434 of 2014  
after two weeks in motion list**

**ORDER**

**W.P.NO. 25995 OF 2014**

**DIRECTION**

**HIGH COURT**

**Nnr**

**Date of Drafting : 11-09-2014**

**ARR,J**

**DATED: 05-09-2014**

**NOTE: Post along with WP No.23434 of 2014  
after two weeks in motion list**

**ORDER**

**W.P.NO. 25995 OF 2014**

**DIRECTION**