

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

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Writ Petition No.19222 of 2010

Between:

The G.Kondur Mandal Fruits and Vegetable Growers
Mutually Aided Cooperative Society,
G. Konduru Mandal,
Krishna District.

... Petitioner

And

The Government of Andhra Pradesh,
Represented by its Principal Secretary,
Marketing Department,
Hyderabad and others.

... Respondents

DATE OF JUDGMENT PRONOUNCED: 7.8.2015

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

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Writ Petition No.19222 of 2010

ORDER:

Petitioner, by this writ petition under Article 226 of the Constitution of India seeks the following relief:

“For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Hon'ble Court may be pleased to issue a writ , order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not allowing the petitioner society, its members and agriculturists from marketing and selling vegetables and fruits brought by the members of the petitioner-society and other agriculturists in the locality to the Rythu Bazars situated in Vijayawada City and other places in Krishna District where the stalls are allotted to the petitioner-society by the 4th respondent as arbitrary, illegal and violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents to allow the petitioner society to market and sell the vegetables and fruits brought by the members of the petitioner society and other agriculturists in the locality in the Rythu Bazars situated in Vijayawada City and other places in Krishna District and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

By virtue of the interim order passed by this Court on 6.8.2010, the members of the petitioner-society are allowed to market and sell vegetables and fruits from the market area called Rythu Bazars, situated at Vijayawada City and other places in Krishna District, where they were allotted stalls.

In this view of the matter, when I suggested to learned Government Pleader for the respondents, that if at all they want to take action for removal of the members from the market area, they can do so

by following the due process of law, she instantly agreed for the same.

In view thereof and having considered the prayer in the writ petition and the interim order passed by this Court, I am of the view that this writ petition can be conveniently disposed of by the following order:

“ If the respondents propose to take any action against the stalls of the members of the petitioner-society for removing them from the market area-Rythu Bazars situated in Vijayawada City and other places in Krishna District, they shall follow the due process of law. All contentions of the parties are kept open.”

The writ petition is disposed of.

Consequently, pending miscellaneous applications shall also stand closed. No costs.

DILIP B. BHOSALE, ACJ

7th August, 2015

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