

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**TUESDAY, THE TWENTY FOURTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 36176 OF 2024

Between:

1. M/s. Mahalaxmi Ago Industries, A registered Partnership Firm having its office at 33-6-105, Nakkalapally Road, Khilawarangal, Warangal- 506 005, Telangana. Represented by its Partner Gone Laxmi.
2. Gone Laxmi, W/o. Gone Thirupathi Rao, Aged about 49 years, Occ. Business, R/o. 1-9-1235/50/B, Rama Rao Colony, Opp.Vishnu Priya Garden, Hanamkonda- 506 001, Telangana.

.....PETITIONERS

AND

1. State of Telangana, Rep. by its Principal Secretary, Department of Consumer Affairs, Foods and Civil Supplies, Secretariat Buildings, Hyderabad.
2. Telangana State Civil Supplies Corporation Limited, Having its registered office at -3-655/1/A, Block-B Civil Supplies Bhavan, Somajiguda, Hyderabad-500082 Rep. by its Vice Chairman and Managing Director.
3. Vice Chairperson and Managing Director, Telangana State Civil Supplies Corporation Limited - 3-655/1/A, Block-B Civil Supplies Bhavan, Somajiguda, Hyderabad-500082, Telangana.
4. District Collector, Warangal District.
5. Collector, CS, Warangal District.
6. District Civil Supply Officer, Warangal District.
7. District Manager, TSCSCL, Warangal District.
8. M/s Kendriya Bhandar, Having its Registered Office at First Floor, 21, 22, Municipal Complex, Puti Bowli, Koti, Hyderabad, Telangana - 500095.

.....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 i. declaring the actions of the Respondents in not lifting paddy allocated to the Petitioners for Crop Year Rabi 2022-23 in furtherance of Global E- Tender dated 25/01/2024 on as is where is basis as being illegal, arbitrary, unjust, apart from being unconstitutional and contrary to doctrine of legitimate expectation and forthwith direct the Respondents to lift the Rabi 2022-23 season paddy from the Petitioner rice mill in furtherance of Global E-Tender dated 25/01/2024 on as is where is basis. ii. Alternatively, in the event of non-grant of prayer (i) this Honourable Court maybe pleased to direct the Respondents to grant the Petitioners the first right to payment to the Respondents the equivalent tender amount as quoted by the Successful Auction Purchaser i.e., 8th Respondent with respect to Petitioner's CMR paddy as per the tender conditions stipulated under Global E- Tender dated 25/01/2024.

I.A.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 direct the Respondents to forthwith commence the lifting of paddy lying at the Petitioner Rice Mill pertaining to Crop Year Rabi 2022-2023 in terms of Global E-Tender dated 25/01/2024 on as is where is basis, pending disposal of the present writ petition.

Counsel for the Petitioners : SRI PASHAM MOHITH

Counsel for the Respondent Nos.1, 4 & 5 : GP FOR CIVIL SUPPLIES

Counsel for the Respondent Nos.2, 3, 6 & 7 : SRI T.P.ACHARYA

Counsel for the Respondent No.8 : --

The Court made the following ORDER

HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.36176 OF 2024

ORDER:

Heard Sri Pasham Mohith, learned counsel appearing on behalf of the petitioners, learned Assistant Government Pleader for Civil Supplies, appearing on behalf of respondent Nos.1, 4 and 5 and Sri T.P.Acharya, learned Standing Counsel for Civil Supplies, appearing on behalf of respondent Nos.2, 3, 6 and 7.

2. The petitioners approached the Court seeking prayer as under:

"...to issue an appropriate writ order or direction more particularly one in the nature of Writ of *Mandamus*

(i) declaring the actions of the Respondents in not lifting paddy allocated to the Petitioners for Crop Year Rabi 2022-23 in furtherance of Global E-Tender dated 25/01/2024 on 'as is where is' basis as being illegal, arbitrary, unjust, apart from being unconstitutional and contrary to doctrine of legitimate expectation and forthwith direct the Respondents to lift the Rabi 2022-23 season paddy

from the Petitioner rice mill in furtherance of Global E-Tender dated 25/01/2024 on 'as is where is' basis

(ii) Alternatively, in the event of non-grant of prayer (i) this Honourable Court maybe pleased to direct the Respondents to grant the Petitioners the first right to payment to the Respondents the equivalent tender amount as quoted by the Successful Auction Purchaser i.e. 8th Respondent with respect to Petitioners CMR paddy as per the tender conditions stipulated under Global E-Tender dated 25/01/2024 and pass...".

3. It is represented by both the learned counsel appearing on behalf of the petitioners and the learned Assistant Government Pleader for Civil Supplies, appearing on behalf of the respondent Nos.1, 4 and 5 that the subject issue in the present writ petition is squarely covered by the order of this Court dated 03.12.2024 passed in W.P.No.33859 of 2024, hence, the writ petition could be disposed of in terms of the aforesaid order.

4. Learned Assistant Government Pleader for Civil Supplies appearing on behalf of the respondent Nos.1, 4 and 5 submits that instead of four weeks, eight weeks period may be

granted by the Court directing the respondents to lift the EMD paddy lying at the petitioners' rice mill allocating to the petitioners for Crop Year Rabi 2022-23.

5. Learned counsel appearing on behalf of the petitioner draws attention of this Court to the proceedings dated 16.11.2024 issued by the VC and Managing Director, Telangana State Civil Supplies Corporation Limited and the relevant portion of the said proceedings is extracted hereunder:

"Therefore, the successful bidders are directed to pay the amount for auctioned paddy quantity and lift the entire stocks by 31st December 2024, else action will be initiated as per rules in vogue."

6. Taking into consideration the submissions made by both the learned counsel on record, and the contents of the proceedings dated 16.11.2024 (referred to and extracted above), the writ petition is disposed of directing the respondents to lift the paddy lying at the petitioners' rice mill allocated to the petitioners for Crop Year Rabi 2022-23 within a period of four (04)

weeks from today. However, there shall be no order as to costs.

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

**SD/-P. PADMANABHA REDDY
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Department of Consumer Affairs, Foods and Civil Supplies, Secretariat Buildings, State of Telangana at Hyderabad.
2. The Vice Chairman and Managing Director, Telangana State Civil Supplies Corporation Limited, Having its registered office at -3-655/1/A, Block-B Civil Supplies Bhavan, Somajiguda, Hyderabad-500082.
3. The Vice Chairperson and Managing Director, Telangana State Civil Supplies Corporation Limited - 3-655/1/A, Block-B Civil Supplies Bhavan, Somajiguda, Hyderabad-500082, Telangana.
4. The District Collector, Warangal District.
5. The Collector, CS, Warangal District.
6. The District Civil Supply Officer, Warangal District.
7. The District Manager, TSCSCL, Warangal District.
8. Two CCs to GP FOR CIVIL SUPPLIES, High Court for the State of Telangana at Hyderabad. [OUT]
9. One CC to SRI PASHAM MOHITH Advocate [OPUC]
10. One CC to SRI T.P.ACHARYA, Advocate (OPUC)
11. Two CD Copies

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HIGH COURT

DATED:24/12/2024

ORDER

WP.No.36176 of 2024



DISPOSING OF THE W.P
WITHOUT COSTS.

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