APHC010401822026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3327]**
(Special Original Jurisdiction)

MONDAY, THE 5th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO: 21717/2026

Between:

1. PALADUGU SHAIK SAKING BEE, W/O KHAZA BAJI AGE 44 YEARS, R/O KOMERAPUDIVILLAGE SATTENAPALLI MANDAL PALNADU DISTRICT.

...PETITIONER

A N D

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF CIVIL SUPPLIES, A.P. SECRETARIAT VELAGAPUDI AT AMARAVATI-522237
2. THE DISTRICT COLLECTOR, PALNADU DISTRICT AT NARASARAOPET-522601
3. THE REVENUE DIVISIONAL OFFICER, SATTENAPALLI REVENUE DIVISION AT SATTENAPALLI PALNADU DISTRICT-522403
4. THE MANDAL TAHSILDAR, SATTENAPALLI MANDAL AT SATTENAPALLI PALNADU DISTRICT.-522403

...RESPONDENT(S):

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 declaring the action of the respondents in not restoring the petitioner's authorization of fair price shop No.0715060 at Komerapudi Village Sattenapalli Manda, Palnadu District by considering the petitioner's representations dated 18.08.2025 and 06.07.2026 as illegal, arbitrary, violating natural justice principles and Articles 14 and 21 of constitution of India And Contrary to the Essentials Commodities Act and consequently direct the respondents to restore the authorization and supply of Essential

Commodities to the petitioner's Fair Shop No.0715060 at Komerapudi Village Sattenapalli Mandal, Palnadu District

IA NO: 1 OF 2026

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 direct the respondents 3 and 4 to supply essential commodities to the petitioner's Fair Shop No.0715060 at Komerapudi Village Sattenapalli Mandal Palnadu District by considering petitioner's representations dated 18.08.2025 and 06 07.2026 forthwith pending disposal of the writ petition

Counsel for the Petitioner:

1. MARELLA RADHA

Counsel for the Respondent(S):

1. GP FOR CIVIL SUPPLIES

The Court made the following:

O R D E R

The present Writ Petition is filed seeking the following relief:

> *"… to issue Writ, Order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of respondents in not restoring the petitioner's authorization of Fair Price Shop No.0715060 at Komerapudi Village, Sattenapalli Mandal, Palnadu District by considering the petitioner's representation dated 18.08.2025 and 06.07.2026 as illegal, arbitrary, violating principles of natural justice and Articles 14 and 21 of the Constitution of India, and contrary to the Essential Commodities Act, 1955, and consequently, to direct the respondents to restore the authorization and supply Essential Commodities of the petitioner's Fair Price Shop No.0715060 at Komerapudi village, Sattenapalli Mandal, Palnadu District, and to pass such other order or orders …"*

2. It is the case of the petitioner that she was appointed as a permanent Fair Shop in respect of the Shop No.0715060 at Komerapudi Village, Sattenapalli Mandal, Palnadu District *vide* Rc.No.14/SAP/2010-2012, dated 20.08.2010, and has been distributing the essential commodities without any irregularities. It is the grievance of the petitioner that in the year 2019, certain local political persons pressurized her to resign from the Fair Price Shop dealership, and accordingly, on 06.11.2019, the Village Revenue Officer of Komerapudi Village along with the Police Officials were said to have came to her shop, and insisted for her resignation, and

when she refused to do so, she was alleged to have threatened that her husband would be implicated in false cases, and thereby forcibly obtained her resignation.

(b) The petitioner further states that she made representations to 3rd respondent on 18.08.2025 and 06.07.2026 to take necessary action as against the Village Revenue Officer and the police officials concerned, but so far, no action has been taken on the representations made by the petitioner. The action of 3rd respondent in not taking action on the representations made by the petitioner is illegal and arbitrary.

3. Respondent No.3 filed counter-affidavit denying the contents of the affidavit, contending *inter alia* that the petitioner had voluntarily resigned the Fair Price Shop Dealership in the year 2019 due to health and financial reasons, and subsequently, *vide* Rc.No.1148/2019-S8, dated 25.11.2019, the Collector (Civil Supplies) permitted one Sultana Mahila DWACRA Group, Komerapudi village, to run the Fair Price Shop on temporary basis; that the record discloses that the petitioner was subsequently considered for appointment, and based on the proposals submitted by 4th respondent *vide* Rc.No.105/2024-DT, dated 27.06.2024, the petitioner was appointed as Temporary Fair Price Shop Dealer for

F.P.Shop No.0715060 by 3rd respondent *vide* Proceedings Rc.No.801/2024-C, dated 28.06.2024.

(b) It is further stated that upon receipt of representation of petitioner, dated 06.07.2026 seeking regular appointment, Office of R3, *vide* Rc.No.1003/2026-J, dated 09.07.2026 directed 4th respondent to conduct an inquiry and to submit report for taking further action in accordance with the provisions of the Andhra Pradesh State Targeted Public Distribution System (Control) Order, 2018, and that the resignation submitted by the petitioner was processed by the competent authorities basing on records and reports available at the relevant point of time, and consequential arrangements were made in the interest of ensuring uninterrupted distribution of essential commodities to the cardholders. Hence, it is prayed to dismiss the Writ Petition.

4. Heard the learned counsel for the petitioner and learned Assistant Government Pleader for Civil Supplies representing the respondent Nos.1 to 4. Perused the entire material available on record.

5. There is no dispute with regard to the petitioner holding dealership earlier in respect of the Fair Price Shop No.0715060 at Komerapudi Village, Sattenapalli Mandal, Palnadu

District. But, it is the contention of learned counsel for petitioner that such dealership was said to have terminated due to forcibly obtaining the signatures of petitioner on resignation by the Village Revenue Officer, Komerapudi village by putting her under threat at the instigation police authority. Per contra, learned Assistant Government Pleader contends that the petitioner voluntarily resigned the Fair Price Shop Dealership in the year 2019 due to health and financial reasons, and based on the proposals submitted by 4th respondent, the petitioner was appointed as Temporary Fair Price Shop Dealer in respect of F.P.Shop No.0715060. He further contends that upon receipt of representation of petitioner, Office of R3 directed 4th respondent to conduct an inquiry and to submit report for taking further action in accordance with the provisions of the Andhra Pradesh State Targeted Public Distribution System (Control) Order, 2018.

6. A perusal of the contentions of either side, this Court is of the opinion that if really the petitioner voluntarily resigned the Fair Price Shop dealership, she might not have made representations to 3rd respondent, continuously on 12.11.2019, 18.08.2025 and 06.07.2026 seeking to reappoint her as a permanent Dealer in respect of a Fair Price Shop. If at all the

petitioner is not willing to continue as a Dealer of a Fair Price Shop, she might have not approached this Court seeking direction to the authorities concerned to take action on the representations made by her to 3rd respondent by reappointing her as a permanent Dealer in respect of a Fair Price Shop.

7. Learned counsel for the petitioner relied on a decision rendered by this Court in **Chinnareddigari Sambasiva Reddy v. The State of A.P. and others**[1] wherein this Court held as under:

> "Ordinarily, no fair price shop dealer would like to quit his assignment. If such extraordinary desire is expressed by any dealer, it is incumbent upon the appointing authority to put the dealer on notice before accepting the resignation as, foul play by vested interests cannot be ruled out. Therefore, I cannot appreciate the action of respondent No.3 in purporting to ratify the hasty and unauthorised action of respondent No.4 without even trying to get the confirmation from the petitioner as to whether he has sent his resignation out of his free will or the same is secured by any vested interests by force. The failure of respondent No.3 to make an enquiry in this regard by issuing notice to the petitioner vitiates the entire action of respondent Nos.3 and 4 in easing out the petitioner from the fair price shop dealership. As respondent No.3 has not properly exercised his jurisdiction in acting on the purported resignation of the petitioner, his action culminating in

[1] 2014 SCC OnLine Hyd 1043.

> acceptance/ ratification of resignation of the petitioner is declared as illegal and the impugned order is, accordingly, set-aside. As the petitioner is inclined to continue as the fair price shop dealer, he shall be permitted to continue as such under the authorization held by him."

A plain reading of the above decision goes to show that if any fair price shop dealer likes to quit his/her assignment, the appointing authority has to put the dealer on notice before accepting the resignation as, foul play by vested interests cannot be ruled out.

8. In the case on hand also, the petitioner made an allegation that on 06.11.2019, the Village Revenue Officer, Komerapudi Village along with police officials put her under threat and obtained her signatures on the resignation letter in respect of dealership over the Fair Price Shop No.0715060 at Komerapudi Village, Sattenapalli Mandal, Palnadu District. Apparently, no notice was issued by the competent authority to the petitioner calling for, her explanation to know as to why she tendered her resignation to the post of Dealership in respect of the Fair Price Shop. Indeed, within one week *i.e.* 12.11.2019, the petitioner made an application before 3rd respondent to conduct investigation into the said act, and

such representation was also made on 18.08.2025 and 06.07.2026. Therefore, this Court concurs with the findings made in the aforesaid decision that no fair price shop dealer would like to quit his/her assignment.

9. However, having regard to the fact that the petitioner is now holding temporary dealership of the Fair Price Shop No.0715060 and also having regard to the fact that upon receipt of representation of petitioner, dated 06.07.2026 seeking regular appointment, *vide* Rc.No.1003/2026-J, dated 09.07.2026, 3rd respondent had already directed 4th respondent to conduct an inquiry and to submit report for taking further action in accordance with the provisions of the Andhra Pradesh State Targeted Public Distribution System (Control) Order, 2018, 3rd respondent is directed to conduct inquiry on the line that as to whether the petitioner had given the resignation out of her free will or under any coercion and pass a reasoned order, and communicate the same to the petitioner, by considering her representation dated 06.07.2026, within a period of six (06) weeks, in accordance with law.

10. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs of the Writ Petition.

As a sequel, interlocutory applications pending, if any, in the Writ Petition shall stand closed.

JUSTICE K. SREENIVASA REDDY

5th October, 2026.

DNB