APHC010570402026

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

TUESDAY, THE 27th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE K. SREENIVASA REDDY

WRIT PETITION NO: 31163/2026

Between:

1. A CHANDRAPPA, S/O. LATE B. CHITHAPPA, AGED ABOUT 50 YEARS, OCC F.P.SHOP DEALER OF SHOP.NO.1260033, RIO. THALIKERA VILLAGE, GUDIBANDA MANDAL, SRI SATHYA SAI DISTRICT ERSTWHILE ANANTAPUR DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY THE PRINCIPAL SECRETARY, CIVIL SUPPLIES DEPARTMENT, SECRETARIAT BUILDINGS, AT VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT 522237.
2. THE DISTRICT COLLECTOR, SRI SATYA SAI DISTRICT., AT PUTTAPARTHY, ERSTWHILE ANANTAPUR DISTRICT 515134.
3. THE REVENUE DIVISIONAL OFFICER, MADAKASIRA DIVISION, MADAKASIRA, SRI SATYA SAI DISTRICT ERSTWHILE ANANTAPUR DISTRICT 515301.
4. THE TAHSILDAR, GUDIBANDA MANDAL, SRI SATHYA SAI DISTRICT ERSTWHILE ANANTAPUR DISTRICT 515271

...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 a writ, order or direction more particularly one in the nature of Writ of Mandamus questioning the action of the 3rd and 4th respondents in not allotting the Essential commodities to the F.P Shop No.1260033 held by

the petitioner at Thalikera Village, Gudibanda Mandal, Sri Satya Sal 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 A.P. Public Distribution System (Control) Order 2008 and principles of natural justice and consequently direct the respondents to continue the petitioner to hold F.P. Shop (No.1260033) Dealership of Thalikera Village, Gudibanda Mandal, Sri Satya Sai District Erstwhile Anantapur 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 to continue the petitioner as F.P. Shop Dealer and to supply essential commodities to the petitioner's Fair Price Shop No.1260033 at Thalikera Village, Gudibanda Mandal, Sri Satya Sai District Erstwhile Anantapur District, pending disposal of above Writ Petition

Counsel for the Petitioner:

1. K NARSI REDDY

Counsel for the Respondent(S):

1. GP FOR CIVIL SUPPLIES

The Court made the following:

O R D E R

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 questioning the action of the 3rd and 4th respondents in not allotting the Essential commodities to the F.P Shop No.1260033 held by the petitioner at Thalikera Village, Gudibanda 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 A.P. Public Distribution System (Control) Order 2008 and principles of natural justice and consequently direct the respondents to continue the petitioner to hold F.P. Shop (No.1260033) Dealership of Thalikera Village, Gudibanda Mandal, Sri Satya Sai District Erstwhile Anantapur District and pass such other order.…"

2. Brief facts of the case of the petitioner are that he was appointed as a permanent Fair Price Shop Dealer of Thalikera Village, Shop No.1260033, Gudibanda Mandal, Sri Sathya Sai District (formerly Anantapur District). It is stated that 4th respondent instructed the petitioner not to deposit the cheque towards the supply of essential commodities and orally informed him that the commodities would not be issued to him for the current month and that no cheque or amount towards the commodities would be accepted from him. It is further stated that, at the instance of local leaders and in view of the ensuing local body elections, the respondents are attempting to distribute the essential commodities through unauthorized persons, and the petitioner resisted such high-handed action. It is further stated that while the matter stood thus, on 07.10.2026, at about 2:30 p.m., the staff of 4th respondent, along with the Regional Vigilance and Enforcement Officials, the CSDT and others, visited and inspected the Fair Price Shop. During the inspection, variations in the

stock were allegedly noticed, namely, an excess of 92 kgs. of fortified rice (0.96%), a shortage of 14 kgs. of jowar (2.49%), nil variation in sugar supplied in ½ kg. packets (0%), and a shortage of 121 kgs. of sugar supplied in ½ kg. packets (100%). The authorities seized the stock and handed it over to the Village Revenue Officer (VRO), along with the e-POS device and weighing machine. The petitioner submits that, though he explained the reasons for the alleged stock variations, the authorities failed to consider his explanation and proceeded to seize the stock. He further contends that, on physical verification, there was no such variation and that the panch witnesses present during the inspection were sympathizers of the ruling party.

3. It is further stated that, though the panchanama was drawn on 07.10.2026, the show-cause notice dated 12.10.2026 erroneously mentioned the date of inspection as 07.10.2025, which, according to the petitioner, indicates that the authorities had predetermined to initiate proceedings against him. The petitioner submitted a written explanation contending that the alleged stock variations were marginal. However, no further action has been taken till date. The petitioner further submits that, although his authorization has not been suspended till date, the authorities are not supplying essential commodities to him. Instead, the Revenue authorities are allegedly attempting to distribute the commodities for the current month through the VRO's login, thereby depriving the petitioner of the opportunity to distribute the commodities through his Fair Price Shop.

4. The petitioner contends that Clause 8(4) of the A.P. State Targeted Public Distribution System (Control) Order, 2018, mandates an enquiry and the recording of reasons before an authorization is suspended or cancelled. According to the petitioner, the said procedure has not been followed in the present case. Aggrieved by the impugned action of the respondents, which he alleges to be arbitrary and illegal, the petitioner has approached this Court

seeking appropriate directions to permit him to continue operating the Fair Price Shop in accordance with law.

5. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Civil Supplies.

6. The learned counsel for the petitioner reiterated the averments made in the writ affidavit and advanced arguments in support of the petitioner's case. The learned Assistant Government Pleader for Civil Supplies placed on record a copy of the instructions issued by the Revenue Divisional Officer, Madakasira Division, Sri Sathya Sai District, dated 27.10.2026, wherein it is stated that no temporary dealer has been appointed, the Village Revenue Officer of Thalikera Village has been kept incharge for distribution of commodities to the cardholders.

7. In this regard, it is pertinent to refer to the judgment of the Full Bench of this Court in ***Oleti Tirupathamma v. District Supply Officer (City), Visakhapatnam and others***[1]***,*** wherein it was categorically held as follows:

> *"A statutory authority, it is trite, must act within the four corners of the statute in terms of the statutory orders and procedure laid down to suspend the licence. As already noticed hereinbefore, the authorities under the relevant orders have power to suspend the authorisation or licence of the dealer. Without applying its mind and without taking recourse thereto, the Court should not normally permit the authorities, unless extraordinary situation exists, to allow them to do something indirectly, which they cannot do it directly. If a broad proposition to this effect is laid down, the same, in a given case may amount to abuse of the process of law. The High Court while exercising its jurisdiction under Article 226 of the Constitution of India, acts sentinel qui vive and thus it has to protect the citizen from arbitrary and capricious action of the executive. If the licensing authority themselves upon application of mind come to the conclusion that the*

[1] 2002 (1) ALD 577

> *irregularities committed by the fair price shop dealer would warrant suspension of his licence, it may do so. But, in our considered opinion, the authority without taking recourse to the said action, cannot, refuse to supply the essential commodities. In the event an order of suspension of licence is passed, the authorities will have to make an alternative arrangement. But, in a case of this nature, the card holders would be the worst sufferers inasmuch their essential commodities would not be supplied to them at all."*

8. In the present case on hand, the respondents, without initiating disciplinary proceedings in accordance with law, cannot stop the supply of essential commodities to the petitioner, which is illegal and arbitrary in view of law laid down in the aforesaid Judgment.

9. In the light of the aforesaid facts and circumstances of the case, since no disciplinary action has been initiated against the petitioner, the respondents are directed to supply essential commodities to the petitioner's Fair Price Shop and allow the petitioner to distribute them to the cardholders.

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

As a sequel thereto, Interlocutory Applications, pending, if any, shall also stand closed.

JUSTICE K. SREENIVASA REDDY

Date: 27.10.2026.

Note: Issue CC by 28.10.2026
B/o.
MS / DS

HONOURABLE SRI JUSTICE K. SREENIVASA REDDY

Writ Petition No: 31163 of 2026

Date: 27.10.2026

MS