

**\* THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI**

**+ WRIT PETITION No: 11415 OF 2025**

**% 02.03.2026**

**# 1. R G MADDILETY**

**.....Petitioner**

**And:**

**\$ THE STATE OF ANDHRA PRADESH,  
REP. BY ITS PRINCIPAL SECRETARY  
AND OTHERS**

**...Respondents**

**!Counsel for the Petitioner**

**: Sri Mahadeva Kanthrigala**

**^Counsel for the respondents**

**: Sri Vineeth Appasani,  
Assistant Government Pleader for Civil Supplies  
  
Sri Sazid Kallur**

**<Gist:**

**>Head Note:**

**? Cases referred:**

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

\* \* \* \*

**WRIT PETITION No: 11415 OF 2025**

DATE OF JUDGMENT PRONOUNCED: **02.03.2026**

**SUBMITTED FOR APPROVAL:**

**THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI**

- |                                                                                      |        |
|--------------------------------------------------------------------------------------|--------|
| 1. <i>Whether Reporters of Local newspapers may be allowed to see the Judgments?</i> | Yes/No |
| 2. <i>Whether the copies of judgment may be marked to Law Reporters/Journals</i>     | Yes/No |
| 3. <i>Whether Your Lordships wish to see the fair copy of the Judgment?</i>          | Yes/No |

---

**JUSTICE RAVI CHEEMALAPATI**



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

**[3332]**

MONDAY, THE SECOND DAY OF MARCH  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI**

**WRIT PETITION NO: 11415/2025**

**Between:**

1. R G MADDILETY, S/O RAMALLAKOTA LAKSHMANNA, 51 YEARS,  
SHOP NO. 1318026, OCCUPATION FAIR PRICE SHOP DEALER, K.  
MARKAPURAM VILLAGE, KALLUR MANDAL, KURNOOL DISTRICT.

**...PETITIONER**

**AND**

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL  
SECRETARY, CIVIL SUPPLIES DEPARTMENT, SECRETARIAT  
BUILDINGS, VELAGAPUDI, AMARAVATI

2. THE COLLECTOR CS/JOINT COLLECTOR ADDITIONAL DISTRICT  
MAGISTRATE, KURNOOL, KURNOOL DISTRICT.

3. THE REVENUE DIVISIONAL OFFICER, KURNOOL, KURNOOL  
DISTRICT

4. THE TAHSILDAR, KALLUR MANDAL, KURNOOL DISTRICT.

5. DASARI SEKHAR, S/O. DASARI CHENNAIAH, AGED ABOUT 39  
YEARS, R/O.H.NO.1-8, K.MARKAPURAM VILLAGE, KALLUR  
MANDAL, KURNOOL DISTRICT. RR 5 IS AMENDED AS PER  
COURTS ORDER DT.18.11.2025 IN IA 2 OF 2025

**...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 Proceedings Appeal Case No.CS.3/10/2025 dated 19.04.2025 issued by the 2nd respondent, confirming the Rc.DT(LR)1421/2024 Proceedings dated 23.12.2024 issued by the 3rd respondent in cancelling the Fair Price Shop Authorization of the petitioner in Shop No. 1318026, K. Markapuram Village, Kallur Mandal, Kurnool District as illegal, improper, unjust arbitrary, colorable exercise of power, without considering the contentions in the appeal, without following the procedure and contrary to Andhra Pradesh State Targeted Public Distribution System (Control) order, 2018 and further direct the respondents to permit the petitioner to distribute the essential commodities to the card holders and pass

**IA NO: 1 OF 2025**

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 stay the Proceedings Appeal Cas No.CS.3/10/2025 dated 19.04.2025 issued by the 2 respondent well as as the proceedings RC.DT(LR)1421/2024 dated 23.12.2024 issued by the 3 respondent duly permitting the petitioner to run the Fair Pric Shop No. No.1318026, K. Markapuram Village, Kallu Mandal, Kurnool District pending disposal of the writ petitio and pass

**IA NO: 2 OF 2025**

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 may be pleased to permit the Petitioner to implead as Respondent No.5 in W.P.No.I 1415/2025 in the interest of justice.

**IA NO: 3 OF 2025**

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 may be pleased to vacate the interim orders granted in W.P.No.I 1415/2025 dated 08-05-2025 passed by this Honhle Court in the interest of justice.

**Counsel for the Petitioner:**

1. MAHADEVA KANTHRIGALA

**Counsel for the Respondent(S):**

1. SAZID KALLUR

2.GP FOR CIVIL SUPPLIES

**The Court made the following:**

### **The Court made the following ORDER:**

The case of the petitioner is that he is a Fair Price Shop dealer of Shop No.1318026 of K.Markapuram Village, Kallur Mandal, Kurnool District. While so, the Tahsildar-the 4<sup>th</sup> respondent herein submitted a report vide Lr.No.Rc.No.B.976/2024 dated 27.11.2024 alleging that on 26.11.2024, the Tahsildar-the 4<sup>th</sup> respondent and the Village Revenue Officer went to petitioner's shop for inspection in the presence of mediators and found certain variations in the stock. Basing on the said report, a show cause notice was issued vide Rc.DT(LR)1421/2024 dated 29.11.2024 asking the petitioner to submit explanation as to why his authorization should not be cancelled, by framing the following two charges:-

“Charge I:- That the inspection team noticed PDS Fortified Rice 1780 Kgs, Reg Gram 743 Kgs plus and Jowar 190 Kgs are less and MDM Jaggery 5 Pkts, MDM Fortified Rice (3 Kgs Pkt) 7, and MDM P.oil 14 Pkts are excess in the ground balance of the FP Shop No.1318026. Therefore the variation of stock found in the ground balance, it is clearly established the facts that the dealer has indulged in the malpractices in the distribution of ECs to the cardholders under public distribution system, there by violated clause 29(a) under APSTPDS (Control) Order, 2018, minor variation in respect of single Commodity upto 1.5% may be allowed taking into consideration of transactions of one month.

Charge II:- That the inspection team noticed that the dealer is acted as Sarpanch, thereby contravened the cause XII of GO.Ms.No.32 CA, F&CS (CS.I) Dept, Dt.03.12.2008 and the conditions of the Authorization under APSTPDS (Control) Order, 2018.”

Consequently, the petitioner's authorization was suspended by virtue of proceedings dated 06.12.2024 passed by the 3<sup>rd</sup> respondent herein.

2. The petitioner submitted his explanation denying the charges. However, without considering the said explanation, the 3<sup>rd</sup> respondent-Revenue Divisional Officer passed the impugned proceedings vide Rc.DT(LR)1421/2024 dated 29.11.2024 cancelling the petitioner's authorization. Challenging the same, the petitioner preferred an appeal before the 2<sup>nd</sup> respondent/Joint Collector vide Appeal Case No.CS.3/10/2025, which was dismissed. Aggrieved by the said orders, the present writ petition is filed.

3. Heard Sri Mahadeva Kanthrigala, learned counsel for the petitioner, Sri Vineeth Appasani, learned Assistant Government Pleader for respondent Nos.1 to 4 and Sri Sazid Kallur, learned counsel for respondent No.5.

4. In elaboration to what has been stated in the affidavit, learned counsel for the petitioner submitted that the orders passed by both the authorities are unsustainable, inasmuch as they have been passed in clear violation of principles of natural justice. The petitioner's explanation was not considered at all. The authorities have not applied their independent mind while passing impugned orders. Only to wreak vengeance and due to political pressure, such orders have been passed. In fact, at the time of inspection, the shop was locked, but despite the same, they broke open and inspected the shop, which is contrary to the provisions of the A.P.State Targeted Public Distribution System (Control) Order, 2018 (hereinafter referred to as 'Control Order, 2018'). Insofar as other charge is concerned, at the time of nomination as Sarpanch, the authorities, being fully aware that the petitioner is a fair price shop dealer, did not object for his nomination and in the said view of fact, they cannot now contend that the petitioner is a Sarpanch and petitioner's authorization is liable for cancellation. As

the orders impugned are passed in clear violation of the principles of natural justice, they are liable to be set aside.

5. On the other hand, Sri Sazid Kollur, learned counsel representing respondent No.5 (the cardholder), submitted that the petitioner, who has been elected as Sarpanch, is not supplying essential commodities properly. The said fact was brought to the notice of the authorities and the authorities have rightly passed the impugned orders. The petitioner has not raised any valid grounds warranting interference. The writ petition is liable to be dismissed.

6. Learned Assistant Government Pleader for Civil Supplies while justifying the orders passed by both the authorities, contended that there is neither illegality nor procedural irregularity in passing the impugned orders. The authorities have issued show cause notice, invited explanation and basing on the material available on record by duly taking into consideration the explanation submitted by the petitioner, rightly passed the orders. As the petitioner has not raised any valid reasons and factual grounds before the appellate authority, the appellate authority also, by taking into consideration the grounds of appeal and material available on record, passed orders dismissing the appeal. In fact, by virtue of G.O.Ms.No.32 dated 03.12.2018, a fair price shop dealer shall not hold any public office. In the said view of the fact, the petitioner, being a Sarpanch, he cannot continue as a dealer. In fact, the petitioner's authorization can be cancelled on the second charge alone. The petitioner has not raised any valid legal grounds warranting interference and hence, the writ petition is liable to be dismissed.



7. Perused the record and considered the submissions made by learned counsel for the parties.

8. It is not in dispute that the petitioner is a permanent fair price shop dealer of the subject shop and has been elected as a Sarpanch. During inspection conducted 26.11.2024, certain variations in the stock were noticed and basing on the report of the Tahsildar, disciplinary action has been initiated. Accordingly, the Revenue Divisional Officer, who is appointing authority, issued show cause notice dated 29.11.2024 inviting explanation from the petitioner as to why his authorization should not be cancelled. Two charges have been leveled, one with regard to variation in the stock and the other charge is that the inspecting team noticed that the dealer is acting as a Sarpanch, thereby contravening the Clause XII of G.O.Ms.No.32 dated 03.12.2018 and also the conditions of the authorization Control Order 2018. The stand taken by the petitioner that the authorities are very much aware that the petitioner is a dealer and allowed him to submit his nominations but that cannot be a ground to justify the action of the petitioner. Once he has elected as Sarpanch, either he has to resign the dealership or he has to resign the Sarpanch post.

9. The relevant portion of G.O.Ms.No.32 Consumer Affairs, Food & Civil Supplies (CS-I) Department, dated 03.12.2018, is reads as follows:-

*“All individuals holding any Public Office like Sarpanch of Gram Panchayat, President of Mandal Praja Parishad, Chairman of Zilla Praza Parishad, Presidents of Co-operative Societies, Councillors or Chairman of Municipality / Members of Zilla Parishad Territorial Constituency (ZPTC) etc., or holding any office of profit irrespective of the reservation shall not be eligible;”.*

10. By virtue of the said provision, the petitioner cannot continue both as dealer and as a Sarpanch. The learned Assistant Government Pleader submitted that every two years the dealer has to submit Form-II for renewal, wherein, at the time of such renewal, he ought not to have applied for renewal or, at least, he should resign from the post of Sarpanch while seeking renewal, as the form itself is very clear in that regard. The relevant portion of Clause 17(e) of Form-II (renewal) under the Control Order, 2018 reads as follows:-

*(17) Every authorized fair price shop dealer/nominated retailer/hawker shall only conduct the business and he/she shall:*

*(e) not hold any office in public life, with or without remuneration.*

11. In view of the above provisions referred supra, the petitioner has not made out any case warranting interference. The authorities have rightly dealt with the case and he being a Sarpanch, his authorization cannot be continued and orders cancelling the petitioner's authorization have been rightly passed, as such, the writ petition is devoid of merits and liable to be dismissed.

12. Accordingly, the writ petition is dismissed. There shall be no order as to costs.

As a sequel, miscellaneous applications, pending if any, shall stand closed.

---

**JUSTICE RAVI CHEEMALAPATI**

Date: 02.03.2026.  
JLV

273

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

**WRIT PETITION NO: 11415/2025**

Date: 02.03.2026

L.R. Copy to be marked  
B/o JLV