

Grandhi Lakshmipathi Rao, vs The State Of Andhra Pradesh, on 9 August, 2024

(SHOW CAUSE NOTICE BEFORE ADMISSION) :

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAW

(SPECIAL ORIGINAL JURISDICTION)

FRIDAY, THE NINTH DAY OF AUGUST,

WO THOUSAND AND TWENTY FOUR

-PRESENT: ~

THE HONOURABLE MS JUSTICE BS BHANUMATHI .

WRIT PETITION NO: 17208 OF 2024

Between:

Grandhi Lakshmipathi Rao, S/o. Late. Satyanarayana Murthy, Occ Properties,
Aged 73 years, R/o. 16-7-2/4, Kabela Street, Bhimavaram, West Godavari
District

. Petitioner

AND

i. The State of Andhra Pradesh, Rep by its Principal Secretary to
Governimeni, Consumer Affairs Food and Cail Supplies Secretarial,
Velagapudi, Armaravati, Guntur District.

é. The State of Andhra Pradesh, Rep. by its Princinal Secretary to
Government, Municipal Administration and Urban Development
Deperiment, Secretariat, Velagapudi, Amaravtl, Guntur District.

3. Bhimavaram Municipality, Rep. by its Commissioner, Bhimavaram,
West Godavari District

4. Deputy Food Controller, Himagna Toawers, B Block, Sth Floor, Flat Nos.

«802, 503, 004, Old NRI College Building, Saipuram Colony, Gollapudi-
vei 225, Viayawada Krishna District, Andhra Pradesh Andhra Pradesh.

&. The Assistant Food Controller and Food Safety Designated Officer,
Koladibba, Eluru, Eluru DNstrict,

S. M/s Sri Bhavani Floor Mil, Represented by its proorietor, Guindasi
Mavullu, Assessment No 16025, situated at Mente Vari Satrarn Road
Ward No 20 of Bhimavaram Municipality, Wast Godavari District.

. Respondents

HEREAS the Fetiioner above named through his Advonate M/s
NIMMAGADOA REVATHI presented this Petition under Article 226 of the
Cansitution of india praying that In the circumstances stated in the affidavit
fled therewith, the High Court may be oleased to issue a writ, arder or
direction more particularly one in the nature of WRIT OF MANDAMUS
deciaing the action of Respondents, more particularly Respondent No.5 in not
taking any action upon peti itioners' represeniation dt. 27.04 2024, submitted fo

prevent unauthorized food processing unit being operated by the Respondent

No.8 at the premises of Ac. 0.00 1 cants of sile and ashesias cement sheals roofed shed therein bearing Assessment No, 16028, aied at Mente Va

Satram Road, Ward Nogo of Bhanavaram Municipality without obtaining mandsiory license as required under the provisions of Food Safety and Standards Act, 2006 anc for closure of ihe said unl being legal and unauthorized as legal, rrequiar, rational, amounts to non-cischarge of le obligation conferred on 5° respondent and violative of the provisions of said Statute and offends Ariicles 14, 72 and 21 of Constitution of india and consequently direct the respondents particularly 5" respondent to prevent food processing uni being operated by the Respondent No.6 without authorization and close down the aforesaid food unit |

AND WHEREAS the High Court upon perusing the petition and affidavit fled herein and ugon hearing the arqurments of Ms P Haritha, learned counsel representing Mis Nimmagadda Revathi, Advacate for the Pelifioner and GP for Chil Sugnlies for the Rasponcent Nos.1, 4 & 5 and GP for Municipal Cooperation for the Respondent Nos.2 & 3, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admuted.

You Viz

The Proprietar, M/s Sri Bhavani Floor Mil, Guindasi Mavullu, Assessment No 1h028, situated at Mente Vari Satram Road Ward No 20 of Bhimavaram

Municioalty, West Godavar District

are be and hereby directed to show cause either appearing in persar or through an Advocate, as to why in the circurnstances set out in the petition and the affidavit fled therewith (copy enclosed} this WRIT PETITION should not be admiffed on or before 30.08.2024, on which date the case stands pasted for hearing:

The Court made the following:

ORDER:

"Ms.P .Haritha, learned counsel representing the learned counse! for the petitioner is present. Notice to the 6° respondent. | The learned counse!l for the petitioner is permitted to take ouf personal service of notice to the 6" respondent through registered post with acknowledgment due and file proof thereof. Meanwhile, the learned Assistant Government Pleader for Civil Supplies requested time for instructions. Post on 30.06.2024."

Sd/- Sk. Md. Rati ASSISTANT REGISTRAR UYRUE COPYH fo.

© SECTION OFFICER To,

1. The Proprietor, M/s Sri Bhavani Floor Mil, Guindas! Mavullu, Assessment No 16028, situated at Mente Vari Seiram Road Ward No 20 of Bhimaverarm Municipality, West Godavari District. (by RPAD- along with a copy of petition and afidiavit} One Gc to M/s Nimmagadda Revathi, Advocate [ORUC} Two CCs to OF for Cadi Suppites, High Court of Andhra Pradesh. [OUT] Two CCs to GP for

Municipal Corporation, High Court of AP [OUT] with one spare copy HIGH COURT OSB, DATED
08/08/2024 POST ON 30.08.2024 NOTICE BEFORE ADMISSION WP. No A?208 of 2024