

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

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

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

WRIT PETITION NO: 36892 OF 2024

Between:

1. M/s. Sri Rajeshwar Food Process, A Proprietorship Firm having its office at 3-87, 89 and 90, Wanalpad, Nirmal, Telangana - 504 109 Represented by its Proprietor Ms. Bompally Saritha
2. Bompally Saritha, W/o. Bompally Srinivas, Aged about 44 years Occ. Business, R/o. H-No. 3-84, Pendapally, Nirmal, Telangana - 504 109

...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 mstered 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, Nirmal District
5. Collector, CS Nirmal District
6. District Civil Supply Officer, Nirmal District
7. District Manager, TSCSCL Nirmal District
8. M/s Kendriya Bhandar, Having its registered office at First Floor,21,22, Municipal Complex, Putli 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 Hon'ble 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.

IA 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 No.1, 4 & 5: GP FOR CIVIL SUPPLIES

**Counsel for the Respondent No.2, 3, 6 & 7: SRI T.P.ACHARYA,
SC FOR TSCSCL**

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE T. MADHAVI DEVI

WRIT PETITION No.36892 of 2024

ORDER:

Heard learned counsel for the petitioners, learned Government Pleader for Civil Supplies and Sri T.P.Acharya, learned Standing Counsel for Telangana State Civil Supplies Corporation Limited for the respondents and perused the entire material on record.

2. The main grievance of the petitioners is that the respondents are not lifting the CMR paddy pertaining to Crop Year Rabi 2022-23, from the possession of the petitioner's rice mill and the same was kept in auction for Global E-tender for third parties.

3. Learned Government Pleader for Civil Supplies on oral instructions submitted that the respondents are ready to lift the paddy lying in the petitioners' rice mill and seeks sufficient time.

4. In view of the submissions made by learned counsels on either side, the writ petition is disposed of directing the respondents to lift the CMR paddy lying on the petitioner's rice mill pertaining to Crop Year Rabi 2022-23, within a

period of twenty (20) days from today or on or before 20.01.2025, whichever is earlier. There shall be no order as to costs.

5. Miscellaneous petitions pending, if any, shall stand closed.

**SD/- V.HARI PRASAD
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Department of Consumer Affairs, Foods and Civil Supplies, Secretariat Buildings, Hyderabad, State of Telangana.
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, Nirmal District
5. The Collector, CS Nirmal District
6. The District Civil Supply Officer, Nirmal District
7. The District Manager, TSCSCL Nirmal District
8. One CC to SRI PASHAM MOHITH, Advocate [OPUC]
9. One CC to SRI T.P.ACHARYA, SC FOR TSCSCL [OPUC]
10. Two CCs to GP FOR CIVIL SUPPLIES, High Court for the State of Telangana at Hyderabad [OUT]
11. Two CD Copies

BSR



CC TODAY

HIGH COURT

DATED: 31/12/2024



ORDER

WP.No.36892 of 2024

**DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS**

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03/01/25
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