Date of reserved for orders :
Date of pronouncement :
Date of uploading :

APHC010323642026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3396]
(Special Original Jurisdiction)

FRIDAY, THE 3rd DAY OF JULY 2026

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 17420/2026

Between:

1. KARSHAK CROP SCIENCES PRIVATE LIMITED, REP. BY THE MANAGING DIRECTOR, TEDLA KOTESWARA RAO, S/O. VENKATA RAMAIAH, AGED 43 YEARS, R/O. FLAT NO 103, VIJAYA LAKSHMI GRAND KAPARTHI NAGAR, RTC COLONY, GUNTUR, GUNTUR DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY THE PRINCIPAL SECRETARY, AGRICULTURAL AND MARKETING DEPARTMENT, .A.P. SECRETARIAT, VELAGAPUDI, AMARAVATI GUNTUR DISTRICT-522238
2. THE COMMISSIONER, AND DIRECTOR OF AGRICULTURAL AND MARKETING, CHUTTUGUNTA, GUNTUR, GUNTUR DISTRICT-522004
3. THE JOINT DIRECTOR OF AGRICULTURAL AND MARKETING GUNTUR, GUNTUR DISTRICT-522001
4. THE DISTRICT AGRICULTURE OFFICER CUM LICENSING AUTHORITY, GUNTUR, GUNTUR DISTRICT-522001

5. MANDAL AGRICULTURE OFFICER, VATTICHERUKURU MANDAL, GUNTUR DISTRICT-522212

...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 topleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No. 4 in not taking decision in relation to the show cause notice vide Rc.Tech. 1/690/2026 dated 30.05.2026 issued for submitting explanation with respect to the various violations observed in the Form III Stop Sale Order dated 26.05.2026 issued by the 5th respondent despite submitted the detailed explanation on 01.06.2026 as illegal, arbitrary, capricious, violative of principles of Natural justice and contrary to the provisions of The Seeds Act, 1966 and The Seeds (Control) Order, 1983 and contrary to the Articles 14, 19(1)(g) and 21 of the Constitution of India and consequently direct the respondent no. 4 and 5 to release the petitioners stock forthwith by taking a just decision and pass

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 pleased to direct the Respondent No. 4 and 5 to release the petitioner's stock which was ceased pursuant to the Form III Stop Sale Order dated 26.05.2026 passed by the 5th respondent and pass

Counsel for the Petitioner:

1. PENUMAKA VENKATA RAO

Counsel for the Respondent(S):

1. GP FOR AGRICULTURE

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 17420/2026

ORDER:

This Writ Petition is filed under Article 226 of Constitution of India with the following prayer:

> "….to issue any writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondent No.4 in not taking decision in relation to the show-cause notice vide Rc.Tech.I/690/2026 dated 30.05.2026 issued for submitting explanation with respect to the various violations observed in the Form III Stop Sale Order dated 26.05.2026 as illegal, arbitrary, capricious, violative of principles of Natural justice and contrary to the provisions of The Seeds Act, 1966 and The Seeds (Control) Order, 1983 and contrary to the Articles 14, 19(1)(g) and 21 of the Constitution of India and consequently direct the respondent Nos.4 and 5 to release the petitioner's stock forthwith by taking a just decision and pass such other order … "

2. Heard Sri Venkata Rao Penumaka, learned counsel for the petitioner and the learned Government Pleader for Agriculture appearing for the respondents 1 to 5.

3. Learned counsel for the petitioner submits that respondent No.4 issued the show-cause notice dated 30.05.2026 (Ex.P-1), to which the petitioner submitted a detailed explanation on 01.06.2026 (Ex.P-3). It is contended that, despite receipt of the said explanation, no decision has been taken by the competent authority. Learned counsel further submits that the stock covered under the Stop Sale Order is perishable in nature and that the petitioner is suffering serious prejudice, as it is unable to deal with or sell the stock on account of the pendency of the proceedings.

4. On the other hand, the learned Government Pleader for Agriculture submits that the matter is presently pending before the 2nd respondent, namely, the Commissioner and Director of Agriculture and Marketing, Guntur, for appropriate orders. It is further submitted that this Writ Petition may be disposed of by granting reasonable time to the competent authority to consider and dispose of the matter.

5. In the light of the submissions made by both the counsel on either side and considering the fact that the petitioner's stock is stated to be perishable in nature and that the petitioner is unable to deal with the same on account of the pendency of the proceedings, this Court deems it appropriate to direct the 2nd respondent to consider the petitioner's explanation dated 01.06.2026 and pass appropriate orders, in accordance with law, within a period of one (1) week from the date of receipt of a copy of this order. The decision so taken shall be communicated to the petitioner forthwith

6. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

Dr.JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 03.07.2026
KA

Whether the order is :
Speaking Yes/No / Reasoned Yes/No
Reportable Yes/No / Non-Reportable Yes/No

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

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Date: 03.07.2026
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