

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

WP(C).No. 29966 of 2015 (U)

PETITIONER(S) :

**ALAVUDEEN N.A., AGED 54 YEARS,
S/O.ABDUL WAHAB, NOORUL HOUSE,
NILA NAGAR B4, OLAVAKODE, PALAKKAD- 678 002,
(PROPRIETOR, N.A.TRADERS, KARINGRARAPULLY,
CHITTOOR ROAD, PALAKKAD, PIN- 678 559).**

**BY ADVS.SRI.T.M.RAMAN KARTHA
SMT.SYAMA MOHAN**

RESPONDENT(S) :

- 1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO THE GOVERNMENT,
DEPARTMENT OF FOOD AND CIVIL SUPPLIES, GOVT. OF KERALA,
THIRUVANANTHAPURAM, PIN- 695 001.**
- 2. DISTRICT COLLECTOR,
PALAKKAD, COLLECTORATE POST, PIN- 678 001.**
- 3. DISTRICT SUPPLY OFFICER,
COLLECTORATE, PALAKKAD, PIN- 678 001.**
- 4. TALUK SUPPLY OFFICER,
CHITTOOR TALUK, CHITTOOR, PIN- 678 001.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 29966 of 2015 (U)

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1: A TRUE COPY OF LICENSE DATED 19.06.2015 ISSUED TO THE PETITIONER UNDER FSS ACT 2006.

EXHIBIT P2: A TRUE COPY OF LICENSE NO.85/09-10/PKD ISSUED TO THE PETITIONER UNDER THE KERALA FOOD GRAINS DEALERS LICENSING ORDER 1967.

EXHIBIT P3: TRUE COPY OF INVOICE DATED 25.09.2015 IN FORM NO.8 ISSUED BY M/S.WALAYAR TRADERS.

EXHIBIT P4(A): A TRUE COPY OF THE LICENSE NO.51/08-09/PKD ISSUED TO M/S.WALAYAR TRADERS UNDER THE KFDL ORDER.

EXHIBIT P4(B): A TRUE COPY OF THE CERTIFICATE OF REGISTRATION DATED 12.10.2010 ISSUED TO M/S.WALAYAR TRADERS UNDER THE KERALA VAT ACT.

EXHIBIT P4(C): A TRUE COPY OF THE LICENSE NO.A4/436/DO/LIC/2015 DATED 02.07.2015 ISSUED BY THE PUDUSSERY GRAMA PANCHAYATH TO WALAYAR TRADERS.

EXHIBIT P5: A TRUE COPY OF E-CONSIGNMENT DECLARATION DATED 25.09.2015 IN FORM 8F ISSUED BY THE COMMERCIAL TAXES DEPARTMENT.

EXHIBIT P6: MAHASAR DATED 25.09.2015 RELATING TO THE SEIZURE OF RICE FROM THE CUSTODY OF THE PETITIONER.

EXHIBIT P7: MAHASAR RELATING TO HANDING OVER OF SEIZED RICE TO THE AUTHORISED WHOLE SALE DEALER-I MR.A.H.NOUSHAD ON 26.09.2015.

EXHIBIT P8: A TRUE COPY OF THE REPRESENTATION DATED 26.09.2015 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT FOR RELEASING THE RICE.

EXHIBIT P9: A TRUE COPY OF CERTIFICATE DATED 26.09.2015 ISSUED BY THE RATIONING INSPECTOR, NENMARA REGARDING VERIFICATION OF THE ACCOUNTS AND STOCK OF THE PETITIONER.

EXHIBIT P10: A TRUE COPY OF CERTIFICATE DATED 28.09.2015 ISSUED TO M/S.WALAYAR TRADERS REGARDING VERIFICATION OF ITS ACCOUNTS AND STOCK.

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A. MUHAMED MUSTAQUE, J

W.P.(C).No.29966 of 2015

Dated this the 01st day of October, 2015

JUDGMENT

The petitioner's vehicle has been seized alleging that it has resemblance with ration articles.

This Court is of the view that the seized articles shall be released to the petitioner on executing a simple bond. However, the respondents are free to conduct any enquiry and proceed in this matter in accordance with law.

The writ petition is disposed of as above.

Sd/-

**A. MUHAMED MUSTAQUE,
JUDGE**