

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF APRIL
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.10029 of 2015

BETWEEN

Ch.Veerabhadrarajah

... PETITIONER

AND

The State of Telangana, rep. by its Principal Secretary and others.

...RESPONDENTS

The Court made the following:

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ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

2. Petitioner's seeds were subjected to proceedings under Section 6A of the Essential Commodities Act, 1955 and an order was passed by the Collector and District Magistrate, Khammam in M.C.No.180 of 2012 dated 17.07.2012 confiscating the seized stock. Aggrieved by the same, petitioner preferred an appeal viz., Crl.A.No.79 of 2012 before the Principal Sessions Judge, Khammam, which was allowed on 25.11.2014. Operative portion of the said order is as under:

“By virtue of my discussion and findings in point No.1, this Appeal is allowed, setting aside the order made in M.C.No.180 of 2012, dated 17.07.2012 passed by the District Collector-cum-District Magistrate, Khammam. The matter is remanded to the District Collector to take steps by referring the matter to Judicial Magistrate of First Class as per provisions of the Act, within thirty days (30) from the date of receipt of this order.”

3. As is evident from the order of the Principal Sessions Judge, Khammam, dated 25.11.2014 in Crl.A.No.79 of 2012, a direction was given to the Judicial Magistrate of First Class in terms of Section 13(3) of the Seeds (Control) Order. However, alleging that no steps are taken so far, the present writ petition is filed.

4. In view of the above, writ petition is disposed of directing respondent No.2 to take necessary steps, as directed by the Principal Sessions Judge, Khammam, within two weeks from the date of receipt of a copy of the order.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

April 9, 2015

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