

THE HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.1441 of 2015

ORDER

Heard learned counsel appearing for the petitioner and learned Government Pleader for Civil Supplies for respondents 1 to 4.

2. This Writ Petition is filed seeking to declare the action of respondents 2 to 5 in seizing the petitioner's auto bearing No.AP04-TV-5753 under a cover of panchanama dated 24.01.2015 and detaining the same, as illegal and arbitrary.

3. The petitioner is the owner of auto bearing No.AP04-TV-5753 having purchased under the sale agreement dated 26.04.2014, from the 6th respondent. The said vehicle was seized on 24.01.2015 at 7.30 AM., on the ground that it was involved in illegal transportation of PDS rice. The version of the petitioner is that he has nothing to do with the transportation of rice and he is not responsible for the said act, and thereby, he filed the present writ petition seeking release of the said vehicle.

4. Since the proceedings under Section 6-A of the Essential Commodities Act, 1955, are pending before the third respondent, the petitioner is directed to make an application to the third respondent for release of the said vehicle, and the third respondent is directed to consider and dispose of the said application in accordance with law, within a period of four weeks from the receipt of such application.

5. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if

any, pending in this writ petition shall stand closed.

JUSTICE R. KANTHA RAO

5th February, 2015

Note:

Issue CC by Monday.

(Bo)

sj