

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.12190 of 2015

ORDER:

Heard the learned counsel appearing for the petitioner and the Government Pleader for the Civil Supplies (TS).

2. This writ petition is filed seeking writ of *Mandamus* declaring the action of the 2nd respondent in not releasing the entire seized stocks of rice 301 bags each bag 50 kg., total 150.50 quintals, total worth of Rs.1,50,500.00 in favour of the petitioner on his representation dated 15.04.2015 even on furnishing bank guarantee to the worth of seized stocks of rice, as illegal and arbitrary.

3. The 3rd respondent inspected the go-down of the petitioner on 09.04.2015 and verified the records and registers and ground balance of rice and seized the entire available stock of 301 bags of rice, worth of Rs.1,50,500/- on the allegation that the petitioner purchased PDS rice from the cardholders by paying lesser value and accordingly violated Clause 17(A) of APS PDS Control Order, 2008. It is submitted on behalf of the petitioner that the stock seized are not PDS rice and the seizure itself is illegal. The petitioner made a representation to the 2nd respondent on 15.04.2015 to release the entire stocks undertaking therein that he is ready to furnish bank guarantee to the value of the entire seized stock. Even though, the petitioner is ready to furnish bank guarantee for the entire seized rice, no orders have been passed releasing the stock of the petitioner as requested in the representation dated 15.04.2015.

4. Under these circumstances, the 2nd respondent is directed to consider and dispose of the representation dated 15.04.2015 made by the petitioner by passing appropriate orders thereon within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. The writ petition is accordingly disposed of. Miscellaneous applications, if

any, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 24.04.2015

Note: Furnish CC by 27.04.2015

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Date: 24.04.2015

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