

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.5702 of 2015

ORDER:

Heard the learned counsel appearing for the petitioners and the learned Government Pleader for Civil Supplies.

2. This writ petition is filed seeking writ of *Mandamus* declaring the action of the 2nd respondent in not releasing vehicle bearing No.AP 16 B TB 7459 in favour of the 1st petitioner and also seized stock of Qt.109-10 kgs., of rice in favour of the 2nd petitioner by disposing of representation dated 16.02.2015, as illegal and arbitrary.

3. It is submitted by the learned counsel appearing for the petitioner that the 1st petitioner is the owner of the lorry bearing No.AP 16 TB 7459 and the 2nd petitioner is the owner of seized rice. On 11.02.2015 at about 1 a.m. when the lorry was loaded with Qt.109.10 kgs of rice (212 bags) which was purchased by the 2nd petitioner, was intercepted by the police and vehicle along with load of rice was seized. According to the petitioner, the said rice does not belong to Public Distribution System and therefore, the seizure of the stock itself is illegal. However, the 2nd petitioner made an application on 16.02.2015 to the 2nd respondent-Joint Collector, Krishna District at Machilipatnam, for release of the seized stock as well as the lorry, but so far no orders have been passed on the said application.

4. Under these circumstances, the 2nd respondent-Joint Collector, Krishna District at Machilipatnam, is directed to dispose of the application of the petitioners dated 16.02.2015, in accordance with law, within a period of two (2) months from the date of receipt of a copy of this order. Till the disposal of the application filed by the petitioners, the seized lorry as well as stock shall not be sold.

5. The writ petition is accordingly disposed of. Miscellaneous applications, if any, in this writ petition shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 09.03.2015
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