

IN THE HIGH COURT OF JUDICATURE: AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WRIT PETITION No.25901 of 2015

BETWEEN:

M/s. Sri Srinivasa Traders,
rep.by its Proprietor Gampa Srinivas,
s/o. Buchaiah, r/o.D.No.6-117/2,
Beat Bazar, Luxettipet, Adilabad District.

.. **Petitioner**

AND

The State of Telangana,
rep.by its Principal Secretary,
Civil Supplies Department,
Secretariat, Hyderabad,
and 3 others.

.. **Respondents**

DATE OF JUDGMENT PRONOUNCED: 18.08.2015.

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

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| 1. Whether reports of Local newspapers
may be allowed to see the judgments? | YES/NO |
| 2. Whether the copies of judgments may be
marked to Law Reporters/Journals. | YES/NO |
| 3. Whether their Ladyship/Lordship wish to
see the fair copy of the Judgment ? | YES/NO |

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.25901 of 2015

ORDER:

_____ The petitioner is running business in the name and style of M/s.
Sri Srinivasa Traders under licence issued by the District Supply

Officer, Adilabad on 05.11.2012. His licence is valid up to 31.03.2016. It is the case of the petitioner that on 05.08.2015 he purchased 200 bags of raw rice i.e., 100 quintals from M/s. Satyanarayana Modern Rice and Oil Mill, Dharmaram Village, Karimangar District, vide invoice No.1 and transported the same to his godown in the lorry bearing No.AP-01-Y-7889. On the same day, he also purchased another 200 bags of raw rice i.e., 100 quintals from the same rice mill, vide invoice No.2. He sold the said rice to M/s. Sandeep Rice Mill, Gondia and issued a cash bill also on 06.08.2015. The said rice was loaded in the lorry bearing No.MH-35K-3122 from the godown of the petitioner for taking it to Gondia and at that time the fourth respondent-Deputy Tahsildar (Enforcement), Luxettipet conducted inspection and seized 420 bags of rice weighing 210 quintals under panchnama dated 07.08.2015. Challenging the said action of the fourth respondent, the present writ petition is filed.

The learned Government Pleader for Civil Supplies on the basis of the written instructions submits that inspection was conducted on 07.08.2015 and the vehicle was shifted to Luxettipet Police Station as the stock of rice belongs to PDS. On receipt of the said information, the fourth respondent-Deputy Tahsildar (Enforcement), Luxettipet has taken over the rice along with the vehicle into the Government custody. During the investigation, the lorry driver deposed that he went to Sultanabad of Karimnagar District to unload paddy at Rice Mill and on return journey to Maharashtra State at Luxettipet, the petitioner called him and asked to transport the said rice to Gondia. The fourth respondent submitted a report in the matter. The owner of the lorry filed a claim petition to the District Supply Officer, Adilabad and the said claim petition is under scrutiny.

Now the petitioner is willing to furnish the security for the seized stock and the value of the seized stock was mentioned as Rs.3,15,000/- in the panchanama conducted on 07.08.2015. The petitioner submitted an application on 11.08.2015 to the second

respondent for release of the seized stock.

In view of the same, the second respondent-District Collector (CS), Adilabad, is directed to release the seized stock to the petitioner on his furnishing bank guarantee for a sum of Rs.3,15,000/-.

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.

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A. RAMALINGESWARA RAO, J

Date: 18.08.2015

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