

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

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WRIT PETITION No.33436 of 2015

Between:

M/s.Sri Subrahmanya Swamy Rice Industries.

....Petitioner

and

The State of Andhra Pradesh,

Rep.by its Principal Secretary, Civil Supplies

Department, Secretariat, Hyderabad,

And others.

....Respondents

JUDGMENT PRONOUNCED ON : 09.10.2015

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO :

1. Whether Reporters of Local newspapers : Yes
may be allowed to see the Judgments?

2. Whether the copies of judgment may be : No
Marked to Law Reporters/Journals?

3. Whether Their Ladyship/Lordship wish to : No

see the fair copy of the Judgment?

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.33436 of 2015

ORDER:

The petitioner, represented by its Managing Partner, is a rice mill running under a licence issued by the respondents. On 09.07.2015 the Enforcement Deputy Tahsildar, Kandukur, and the Vigilance Officers inspected the rice mill. They seized the rice available in the mill which was delivered by milling the paddy entrusted by the Civil Supplies Corporation under the CMR scheme. The stock was seized on the ground that the rice is PDS rice. A panchanama was prepared. It is stated by the petitioner that he was not in the mill when the shop was inspected and panchanama was prepared on 09.07.2015. Proceedings under Section 6A of the Essential Commodities Act were taken against the petitioner. When the petitioner submitted representations on 16.07.2015 and 21.07.2015 before the Collector and the District Magistrate, Ongole, bringing to his notice the correct facts of the case, the District Collector passed an order on 04.08.2015 directing the Assistant Supply Officer, Ongole, to submit a report. Pursuant to the same, the Assistant Supply Officer submitted the report in August 2015 itself. While so, an order was passed on 24.09.2015 for disposing of the seized stock through public auction by the Tahsildar, Tangutur, and challenging the same, the present Writ Petition is filed.

After passing of the impugned order, the petitioner submitted a petition to the third respondent on 05.10.2015 seeking release of the stock and to drop the proceedings. Simultaneously, he filed the present Writ Petition.

In view of the pendency of the petition dated 05.10.2015, the third respondent is directed to consider the said petition and pass appropriate orders, within a

period of one week from the date of receipt of a copy of this order. Till such time, the impugned order dated 24.09.2015 shall not be implemented.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

09.10.2015

Note: Issue C.C by 14.10.2015.

B/o.

vs

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