

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.41445 of 2015

ORDER :

Prima facie, the impugned order seizing the petitioner's vehicle appears to be contrary to law, since even according to the impugned order the petitioner was transporting rice which he is alleged to have purchased from villagers who had stored the same. It is not the allegation of respondents that petitioner had colluded with any Fair Price Shop dealer and diverted any Public Distribution System rice. It is also not the case of respondents that petitioner has stolen the rice from anybody.

2. The learned Government Pleader for Civil Supplies (Andhra Pradesh) admits that there is no prohibition for card holders who obtained rice from a Fair Price Shop from selling it to third parties.
3. Therefore, it is un-understandable that petitioner's vehicle could have been seized for merely transporting such rice.
4. Therefore, the respondents are directed to release the said vehicle to petitioner subject to the condition that petitioner undertakes to produce the same as and when required by respondents in any enquiry which they propose, and also subject to the condition that petitioner shall not alienate or encumber the same.
5. Accordingly, the Writ Petition is disposed of with the above directions. No order as to costs.

6. As a sequel, miscellaneous petitions pending if any in this Writ
Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 22-12-2015

Ndr/*