

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.11633 of 2015

ORDER:

Heard the learned counsel appearing for the petitioner and the learned 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 issuing Memo dated 06.04.2015, as illegal and arbitrary and for a consequential direction to release Tata ZIP vehicle bearing No.AP 20 TC 1392.

3. The case of the petitioner is that on 13.03.2015 the 3rd respondent seized the vehicle bearing No.AP 20 TC 1392 along with the stock of PDS rice of eight bags and a case under Section 6-A of the Essential Commodities Act, was booked against the petitioner. When the petitioner filed an application seeking release of the vehicle, the 2nd respondent-Joint Collector (CS), Khammam, directed him to furnish bank guarantee equivalent to the value of the vehicle seized. Aggrieved by the said order, he preferred the present writ petition.

4. Learned counsel appearing for the petitioner submits that the value of the goods seized is only Rs.7000/- and the learned Joint Collector ought not to have imposed condition directing the petitioner to furnish bank guarantee equivalent to the value of the vehicle. In any event, the petitioner filed an application before the 2nd respondent on 07.04.2015 expressing his willingness to deposit an amount of Rs.7000/- towards costs of the goods seized and the said application is with the 2nd respondent.

4. In the circumstances, without going into the merits of the case, the 2nd respondent-Joint Collector, is directed to consider the application dated 07.04.2015 filed by the petitioner and pass

appropriate orders thereon within a period of two (2) weeks from the date of receipt of a copy of this order.

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: 22.04.2015
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HON'BLE SRI JUSTICE R. KANTHA RAO

19

Writ Petition No.11633 of 2015

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Date: 22.04.2015

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