

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NO.24739 OF 2006

DATED:29-10-2015

Between:

Jayalakshmi Rice Mills
Station Road
Railway Kodur
Kadapa District
Rep. by its Proprietor B.V. Chandra ... Petitioner

And

The Joint Collector (Civil Supplies)
Kadapa
and others ... Respondents

... Respondents

COUNSEL FOR THE PETITIONER: Mrs. Y. Mahalakshmi, for
Mr. V.B. Subrahmanyam

COUNSEL FOR RESPONDENT NOs.1 & 2: A.G.P. for Civil Supplies
(AP)

COUNSEL FOR RESPONDENT NOs.3 to 5: None appeared

THE COURT MADE THE FOLLOWING:

ORDER:

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This writ petition is filed for a mandamus to set aside panchnama dt.13.11.2006 of respondent No.2 whereunder he has seized the petitioner - rice mill on the purported ground that the stocks which were handed over to it in connection with proceedings initiated under Section 6-A of the Essential Commodities Act, 1955 were not accounted for.

This Court by order dt.28.11.2006 granted interim direction to the respondents to permit the petitioner to run the rice mill without any obstruction until further orders. Learned counsel for the petitioner submitted that in pursuance of the said interim order, the petitioner is running the rice mill without any interference by the respondents.

No counter affidavit is filed justifying the seizure of the rice mill by respondent No.2.

As respondent No.2 is not empowered to seize the rice mill even if the petitioner is stated to have failed to account for the stocks entrusted to it, respondent Nos.1 and 2 are restrained from interfering with the functioning of the petitioner rice mill. However, they are left free to proceed against the proprietor of the petitioner in the event he failed to account for any of the stocks handed over to him through legal process.

The writ petition is accordingly disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.31647 of 2006 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

29-10-2015

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