

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 21162 of 2015

DATED 10th July, 2015

BETWEEN

Mohammed Jaffar @ Saleem & anr.

....Petitioners

And

The State of Telangana,
Rep. by its Commissioner of Civil Supplies
Department and Ex. Officio Secretary,
Hyderabad and ors.

...Respondents,.

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 21162 of 2015.

ORDER:

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Heard learned Counsel for the petitioners and learned
Government Pleader for the respondents.

The second petitioner herein is claimed to be the
registered owner of passenger Auto Rickshaw bearing
registration No. AP 11Y 4781. When the first petitioner stored
in his residence 22.00 quintals of rice and 18.50 quintals of
wheat stating to be for his domestic use, the third respondent
along with his staff raided the house of the petitioners on
23.06.2015 and seized the said stock on the ground that the first
petitioner indulged in clandestine business of PDS rice and what

for his illegal gain and handed over the seized stock to the authorized dealer of F.P. Shop No. 185 for safe custody.. They also seized the aforesaid passenger auto rickshaw during the said raid. Thereafter a representation has been filed on 29.06.2015 before the second respondent to release the seized stock of total worth of Rs.70,400/- on furnishing bank guarantee in favour of the first petitioner and auto rickshaw bearing No.AP 11Y 4781 on furnishing personal bond in favour of the second petitioner. When no orders are passed, the present Writ Petition is filed.

The learned Government Pleader submits that 6-A proceedings are pending consideration before the second respondent.

Continued detention and seizure of the vehicle and stock does not advance any purpose or interest of the respondents. The interest of the respondents can be protected by directing that the vehicle and stock of the petitioners be released subject to certain conditions. In the circumstances, the second respondent is directed to release the seized stock on condition of the first petitioner furnishing bank guarantee for a sum of Rs.70,400/- and auto rickshaw bearing Registration No. AP 11Y 4781 be released on condition of the second petitioner furnishing bank guarantee for a sum of Rs.50,000/-. The petitioners shall furnish the respective bank guarantees as directed supra within fifteen days from the date of receipt of a copy of this order. It is made clear that the second petitioner shall not alienate the auto rickshaw till the conclusion of 6-A proceedings and the same shall be produced in the 6-A

proceedings as and when directed by the second respondent.

The Writ Petition is accordingly disposed of.
Miscellaneous petitions pending consideration if any shall stand closed in consequence. No order as to costs.

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JUSTICE A.RAMALINGESWARA RAO

Dated 10th July, 2015.
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