

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 16157 of 2015

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for the respondents.

2. The petitioner is proprietor of M/s. Ravindra Kirana & General Merchant and he is having a licence which is valid up to 31.03.2014. The petitioner applied for renewal of the licence till 27.03.2015. While so, on 05.05.2015 the

3rd respondent along with his staff inspected the business premises of the petitioner and seized rice and edible oil worth Rs.1,01,980/- as per PDS value but nearly more than Rs.10,00,000/- worth of market value, on the ground that the petitioner is purchasing and selling the PDS rice by contravening the Clause 17 (A) of A.P. State Public Distribution System (Control) Order 2008 and also contravening the Clauses 2K (2) and 3 of A.P. Schedule Commodities Dealers (Licensing, Storage and Regulation) Order 2008. 6-A proceedings are initiated against the petitioner. The 2nd respondent issued proceedings on 13.05.2015 for interim disposal of the seized stock without giving any opportunity to the petitioner. Now the petitioner is willing to furnish bank guarantee for the value of the stock seized. The learned Government Pleader submitted that the value of the stock is not Rs.1,02,030/- and it is nearly Rs.11,18,000/- and it is for the 2nd respondent to determine the value of the stock seized. In the circumstances, the writ petition is disposed of giving liberty to the petitioner to submit an application for release of the stock seized to the 2nd respondent within one week from the date of receipt of a copy of the order and the 2nd respondent shall consider the same and pass appropriate orders on the terms and conditions to his satisfaction within one week thereafter. In the meanwhile, the respondents 2 and 3 shall not sell the seized stock, pursuant to the order dated 13.05.2015.

3. The Writ Petition is accordingly disposed of. Miscellaneous petitions, if any,

pending in the writ petition shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

10th June, 2015

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