

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.46410 OF 2016

ORDER:

The case of the petitioner is that the 4th respondent seized 150 bags of rice on the allegation that they were meant for PDS rice and also seized 200 bags of custom milling rice and seized 4124 quintals of paddy handed over by the 3rd respondent for custom milling purpose, though there is no allegation against the paddy seized and it is also stated that the petitioner is not allowed to operate the rice mill. On that the petitioner made a representation to the 2nd respondent-Joint Collector on 14-12-2016. But no orders are passed. Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioner submits that though there is no allegation against the paddy seized. As such, seizure itself is illegal. Learned counsel also states that he has to mill the paddy and supply rice to the 3rd respondent within time bound programme. By virtue of seizure, the petitioner is not in a position to supply the rice after milling the paddy to the 3rd respondent.

Learned Government Pleader for Civil Supplies submits that since most of the Millers are not supplying

the rice within time and since the rice is found to be meant for PDS rice, the seizure was affected.

Sri A.Jagan, Learned Standing Counsel for the 3rd respondent submits that paddy belongs to the 3rd respondent and the petitioner has to mill them and supply to the 3rd respondent.

It is a case where, there is no allegation of any violations in respect of paddy. It is the case of the petitioner that he has to supply rice to the 3rd respondent in time bound programme.

In view of the same, the 2nd respondent is directed to consider the representation of the petitioner dated 14-12-2016 within a period of one week from the date of receipt of a copy of this order and permit him to mill the paddy and supply the same to the 3rd respondent. However, this will be subject to further orders in the enquiry under Section 6-A of the Essential Commodities Act.

With the above direction, this writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

30-12-2016
Nvl



