

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

WRIT PETITION No.31628 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus to declare the action of the respondent authorities in seizing the stocks under mediators report dated 16.07.2016 without any authority as being illegal and arbitrary.

2. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Civil Supplies (Andhra Pradesh), representing the respondents 1 to 3.

3. It is the case of the petitioner that he is the owner of the house bearing door No.1-111 of Pedagoppula village of Unguturu Mandal of Krishna District. It is the further case of the petitioner that the villagers stored black-gram in his house. While so, on 16.07.2016 the Vigilance and Enforcement officials have inspected the house of the petitioner and seized 139.90 quintals of black-gram and 84.24 quintals of green-gram stock and initiated proceedings against the petitioner under Section 6-A of the Essential Commodities Act. Whether the stock seized by the vigilance officials belong to villagers or not is purely a disputed question of fact, which cannot be gone into while exercising the jurisdiction under Article 226 of the Constitution of India.

4. At the time of arguments, the only relief sought by the learned counsel for the petitioner is to direct the second respondent to dispose of the 6-A proceedings initiated against the petitioner as

expeditiously as possible. The learned Assistant Government Pleader also consented for the same.

5. In view of the submission made by both the counsel, this Court is not inclined to go into the merits of the main case.

6. Having regard to the facts and circumstances of the case and also the submissions made by both the counsel, the second respondent is hereby directed to complete the proceedings initiated against the petitioner under Section 6-A of the Act as expeditiously as possible, preferably, within a period of two months from the date of receipt of copy of this order. The second respondent is further directed not to sell the seized stock till the disposal of 6-A proceedings.

7. With the above direction, the writ petition is disposed of. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

13.10.2016
Rns

T. SUNIL CHOWDARY, J