

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 17094 OF 2016

ORDER :

This Writ Petition has been filed seeking a *mandamus* for declaring the seizure of 25 quintals of rice along with the Auto bearing Registration No. AP 24 TB 7414 as illegal and arbitrary.

The case of the petitioner is that on 01.04.2016, while he was transporting 25 quintals of rice in his Auto detailed above, the 3rd respondent along with his officials stopped him and seized the Auto along with the rice suspecting that it is PDS rice. The 2nd respondent has initiated proceedings against the petitioner under the provisions of the Essential Commodities Act, 1955. Seeking release of the Auto and the goods, the petitioner has submitted an Application on 12.05.2016 to the 2nd respondent, but so far, no orders have been passed thereon.

Heard learned counsel for the petitioner as well as learned Government Pleader for Civil Supplies (Telangana).

Having considered the submissions made by the learned counsel on either side, I consider that ends of justice would be met if the vehicle along with the goods contained therein is directed to be released.

Accordingly, this writ petition is disposed of directing the 2nd respondent to release the seized vehicle and the goods in favour of the petitioner, subject to his furnishing a bank guarantee equal to the value of the goods and Rs. 2 lacs (Rupees two lacs only) in respect of the Auto. However, it is made clear that the release of the vehicle and the seized stock shall be subject to the outcome of the proceedings pending before the 2nd respondent Joint Collector. No costs.

Consequently, the miscellaneous Applications, if any shall also stand disposed of.

CHALLA KODANDA RAM, J

02nd June 2016

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