

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 20866 of 2016

ORDER:

The petitioner claims to be the owner of the lorry bearing Registration No. AP 05 TT 3879 and got engaged the said vehicle in transportation of rice, on hire basis. While so, on 19.04.2016, at Teldarupally Village, the 3rd respondent Assistant Supply Officer, District Civil Supply Office, Khammam intercepted the vehicle and seized the same on the ground that it has been transporting PDS rice. Proceedings under Section 6-A of the Essential Commodities Act, 1955 and simultaneously, a case in Crime No. 209 of 2016 for the offences under Section 420 of the Indian Penal Code and Sections 7 and 8 of the 1955 Act has been booked. On 20.05.2016, the petitioner has filed a Petition before the 2nd respondent Joint Collector stating that he is no way connected with the rice and therefore, requested to release the vehicle, by offering third party security. But no action has been taken thereon is the complaint in this Writ Petition.

As the petitioner is only a transporter, it would suffice if the seized vehicle is directed to be released on condition of his furnishing third party security equivalent to the value of the vehicle, as assessed by the 2nd respondent. Ordered accordingly. The petitioner shall furnish an undertaking that he will not alienate the vehicle or create any third party interest over it and will not alter its nature, pending disposal of the proceedings before the 2nd respondent.

With the above direction, the Writ Petition stands disposed of. No costs.

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

CHALLA KODANDA RAM, J.

30th June 2016

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