

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.25386 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the action of the third respondent in conducting the Panchanama dated 19.07.2016 in petitioner's rice mill M/s. Sri Sai Krishna Binny Rice Mill, situated at Anantaram Village, Mahaboobabad Mandal, Warangal District, and seizing stocks of rice 157.35 kgs. in 362 plastic bags total worth of Rs.2,67,495-00 as illegal, arbitrary, in violation of principles of natural justice and consequently set aside the Panchanama dated 19.07.2016 conducted by the third respondent.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies (TS).

The only relief sought by the learned counsel for the petitioner is to direct the second respondent to release the stock.

Learned Government Pleader consented for release of the stock, provided the petitioner gives bank guarantee.

Having regard to the submissions made by learned counsel for both parties, the second respondent is hereby directed to release the stock seized on 19.07.2016 on furnishing a bank guarantee by the petitioner for an amount of Rs.2,67,495-00 to his satisfaction. The second respondent is further directed to dispose of the proceedings, if any, initiated against the petitioner under Section 6A of the Essential Commodities Act, as expeditiously as possible, preferably within a period of two (2) months from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

Consequently, Miscellaneous Petitions, if any, pending in this
Writ Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 29.07.2016
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