

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 21713 of 2016

ORDER :

This Writ Petition came to be filed with the following prayer:

“...to issue a Writ of Mandamus or any other appropriate writ order or orders under Article 226 of Constitution of India declaring the action of the Respondent No.2 in confiscating the jaggery of the petitioner containing 461 cartons of jaggery each containing 18 kgs which amounts to 8.3 quintals of Jaggery in total in COR No.175/2016 Dated: 20.05.2016 for the alleged offence under Section 34e of AP Excise Act, 1968 as illegal, arbitrary, discriminatory, unreasonable, unjust and without jurisdiction and consequently direct the Respondent No.2 to release the same and pass..”

2. Heard the learned counsel for the petitioner and the Assistant Government Pleader for Prohibition and Excise for the State of Telangana appearing for respondents. At the request of both the counsel, the Writ Petition itself is taken up for disposal at the stage of admission.

3. Though various grounds are urged in the Writ Petition, grievance of the petitioner is that though he filed a petition under Sections 46 and 46-A of the Andhra Pradesh Excise & Prohibition Act for release of seized property viz. jaggery, which is a perishable in nature, no orders are passed in the said petition. The learned Assistant Government Pleader submits that a direction

may be given to the authorities to dispose of the same at the earliest. Having regard to the circumstances of the case, without entering into the merits of the case, respondent No.2 is directed to dispose of the petition filed by the petitioner under Sections 46 and 46-A of the Andhra Pradesh Excise & Prohibition Act in File No. C.O.R. No.175 of 2016, for release of seized property after hearing the petitioner in accordance with law, as early as possible preferably within a period of two weeks from the date of receipt of a copy of this Order.

4. The Writ Petition is disposed of with the above direction. Miscellaneous petitions pending, if any, in the Writ Petition shall stand closed in the light of this final order. No order as to costs.

C.PRAVEEN KUMAR, J

05.07.2016

DRK

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