

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40027 OF 2016

ORDER:

The present writ petition is filed by the petitioner seeking to declare the action of the respondents 3 and 4 in seizing 210 quintals of rice in FIR No.158 of 2016 and not releasing the same, as illegal and arbitrary and consequently, direct the respondents 3 and 4 to release 210 quintals of rice to the petitioner.

Heard and perused the material available on record.

After perusing the material available on record, this Court is not inclined to grant the relief sought for by the petitioner, and the petitioner can approach the Joint Collector concerned, who is the competent authority to decide the issue, and move an application. At this stage, learned counsel for the petitioner submitted that the interim custody of the rice may be given to the petitioner and the petitioner is ready to furnish sufficient surety.

Considering the submissions of the learned counsel for the petitioner, without going into the merits of the case, the interim custody of rice, seized by the respondents 3 and 4 in Crime No.158 of 2016 on the file of Sattenapalli (R) Police Station, Guntur District, shall be given to the petitioner, on petitioner executing a bank guarantee for a sum of Rs.4,50,000/- (Rupees four lakhs and fifty thousand only).

Accordingly, the Writ Petition is disposed of. No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

December 02, 2016
KTL