

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

WRIT PETITION No.31589 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus to declare the order passed by the second respondent directing the third respondent to dispose of the stocks seized by conducting public auction as being illegal and arbitrary.

2. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Civil Supplies (Andhra Pradesh), representing the respondents 1 to 3.

3. The petitioner is a licensed dealer of food grains and carrying on business in the name and style of M/s.Vasavi Traders. It is the further case of the petitioner that the Agricultural Market Committee issued licence in favour of the petitioner. While so, on 11.04.2016 the third respondent inspected the premises of the petitioner and seized the stock alleging that the petitioner has contravened the provisions of the Essential Commodities Act (for short 'the Act'). The second respondent initiated proceedings against the petitioner under Section 6-A of the Act and the same was pending.

4. At the time of arguments, the only relief sought by the learned counsel for the petitioner is to direct the second respondent to dispose of the 6-A proceedings initiated against the petitioner as expeditiously as possible. The learned Assistant Government Pleader also consented for the same.

5. In view of the submission made by both the counsel, this Court is not inclined to express any opinion touching the merits of the main case.

6. Having regard to the facts and circumstances of the case and also the submissions made by both the counsel, the second respondent is hereby directed to complete the proceedings initiated against the petitioner under Section 6-A of the Act as expeditiously as possible, preferably, within a period of two months from the date of receipt of copy of this order. The second respondent is further directed not to sell the seized stock till the disposal of 6-A proceedings.

7. With the above direction, the writ petition is disposed of. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

13.10.2016
Rns



T.SUNIL CHOWDARY, J