

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.20228 of 2017

ORDER:

Heard learned counsel for the petitioner and also the learned Government Pleader for Civil Supplies representing the respondents.

The prayer in the writ petition is as follows:

“To issue an order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents for illegally seizing the stocks from the petitioner rice mill without giving any show cause notice of a quantity of 568 MTs of paddy, 110.7 MTs of rice and 141 bags of broken rice by proceedings dated 29.12.2016 as illegal, arbitrary, contrary to law and violative of the principles of natural justice and to declare the same as null and void and consequently direct the respondents to release the stocks to the petitioner rice mill by dropping the alleged proceedings under Section 6-A of EC Act, 1955 and pass such other order or orders.”

It is the submission of the learned Government Pleader that already the proceedings under Section 6-A of the Essential Commodities Act were initiated by the Collector (CS).

Having regard to the above, the Writ Petition is disposed of and the petitioner is directed either to furnish bank guarantee or to wait till disposal of the Section 6-A proceedings by the Collector (CS) with a further direction to the Collector to conclude the proceedings under Section 6-A of the Act within two (02) months, at any cost, from the date of receipt of a copy of this order and the respondents are directed not to sell the stock in the meantime. The petitioner is also directed to appear before the Collector on 03.07.2017 without fail to participate in the proceedings.

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 23.06.2017

Note: Issue C.C. by tomorrow

(B/o)

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