

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.24654 of 2017

ORDER:

The petitioner is proprietor of a rice mill and on credible information the rice mill owned by the petitioner was inspected on 30-06-2017. It was noticed that the petitioner was indulging in illegal trade of PDS rice. In spite of communication to the petitioner the petitioner was not present in the mill on the ground that he was not feeling well. However, panchanama was conducted in the presence of mediators and workers, who were unloading PDS rice bags from the lorry bearing No.AP-27-Y-5688. A quantity of 109 Quintals in 109 bags was being unloaded at that time. The stock was seized and Section 6-A of Essential Commodities Act proceedings were initiated. The same are pending before the Collector, Civil Supplies.

The present writ petition is filed challenging the order of the respondent authorities in not receiving the resultant rice of the paddy entrusted for milling to the petitioner under Indira Kranthi Padakam Scheme and the petitioner also filed another writ petition No.24619 of 2017 on the day of filing the present writ petition. This Court, disposed of W.P.No.24619 of 2017 by order, dated 27-07-2017 directing the Collector (CS) to dispose of Section 6-A of Essential Commodities Act

proceedings, within two (2) months from that date and in the meantime he was directed not to conduct auction of said rice.

Learned Government Pleader submits that in view of pendency of disciplinary proceedings the resultant rice is not taken by the Civil Supplies Corporation and the Civil Supplies Corporation is not made a party to the present writ petition.

In the circumstances, this Court sees no ground to entertain the present writ petition and writ petition is accordingly dismissed. However, this will not prevent the petitioner from making appropriate representation to the Civil Supplies Corporation for taking the rice as and when fresh cause of action arises and it is for the corporation to take a decision on the said representation. There shall be no order as to costs.

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

A. RAMALINGESWARA RAO, J

August 22, 2017

Pn

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