

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.27934 OF 2017

ORDER:

Petitioner is a rice mill situated at Mydukur Town in Kadapa District. When the respondents are interfering with the business operations of the rice mill by verifying the accounts and disturbing the activities, the petitioner and others filed W.P.No.24592 of 2015 and this Court passed an interim order on 17.08.2015 directing the authorities not to interfere with the rice mill activities of the petitioners therein without following due process of law. While so, as per the directions of respondent No.1-Tahsildar, Mydukur, Kadapa District, the Additional Revenue Inspector, the Senior Assistant and the Village Revenue Officer inspected the petitioner-rice mill and did not find any rice meant for Public Distribution System and 30.60 quintals of other rice milled in the rice mill was seized under the cover of panchanama, dated 10.08.2017. The seized stock was kept in CWC godown and handed over to a third party for custody. Challenging the said panchanama, the present writ petition is filed.

Since the proceedings are pending before respondent No.2, this Court is not inclined to interfere with the proceedings before respondent No.2, who is competent authority to enquire into the fact whether the rice seized under Panchanama is PDS rice or regular rice. However, the petitioner states that the quantity of 30.60 quintals of rice seized under panchanama,

dated 10.08.2017, is not required by respondent No.2 for the purpose of his enquiry and it is ready to furnish the required Bank Guarantee to his satisfaction.

In view of the above, respondent No.2 is directed to release the seized stock after taking samples and other evidence for conducting enquiry on the petitioner furnishing Bank Guarantee to the value of the seized stock to the satisfaction of respondent No.2, if it was not already utilized for the purpose of Public Distribution System. It is needless to observe that respondent No.2 shall complete the enquiry as expeditiously as possible, but not later than three months from the date of receipt of a copy of this order. The petitioner shall cooperate for disposal of the case before the second respondent.

The writ petition is accordingly disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

Dt:12.09.2017

kdl