

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.2813 of 2017

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue writ of Mandamus to declare the action of the respondent No.4 in seizing the stocks of 1). Red gram 104 quintals, 2). Soya 30 quintals and 3). Sesemam 54 quintals, by conducting a panchanama, dated 7-1-2017 and now proposing to sell the said seized stocks without completing the proceedings under section 6-A of the Essential Commodities Act, even though the said seized stocks are not perishable in nature, is nothing but arbitrary, illegal, null and void and violative of principles of natural justice and violative of Articles 14, 19 and 21 of the Constitution of India. Consequently, direct the respondents No.2 to 4 to release the seized stocks, seized through panchanama, dated 7-1-2017, in favour of the petitioner.”

Heard, Sri K. Venumadhav, learned counsel for the petitioner and learned Government Pleader for Civil Supplies for respondents.

Admittedly, enquiry is pending with the 2nd respondent – the District Collector (Civil Supplies), Jagtial District under Section 6-A of Essential Commodities Act, 1955. A request is made by learned counsel for the petitioner to direct the 2nd respondent to complete the enquiry, in accordance with law,

by fixing some timeframe. The said request is not opposed by learned Government Pleader for Civil Supplies.

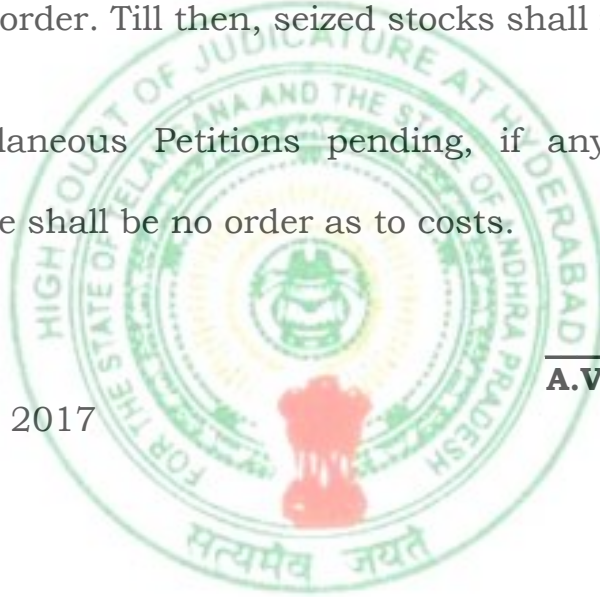
In view of the above, without going into the merits and demerits of the matter, the writ petition is disposed of, directing the 2nd respondent – District Collector to complete the enquiry pursuant to the seizure of the stocks in terms of panchanama, dated 07-01-2017, in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order. Till then, seized stocks shall not be sold.

Miscellaneous Petitions pending, if any, shall stand closed. There shall be no order as to costs.

January 27, 2017

Pn

A.V. SESA SAI, J



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