

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.868 OF 2017

DATED : 06.01.2017

Between :

Balabhadruni Ramanujam, S/o.Veera Venkata Satyanarayana,
Aged 36 yrs, R/o.Gontivanipalem village,
Addateegala Mandal, East Godavari District, A.P.

..

Petitioner

And

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Velagapudi, Amaravathi,
Guntur District, Andhra Pradesh & another.

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Respondents



This court made the following :

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ORDER :

Heard. With the consent of both parties, the Writ Petition is disposed of at the admission stage.

2. This writ petition is filed challenging seizure of 1800 Kgs of black jaggery and registering of Crime No.22/2016-17 of P.S. Prohibition & Excise Station, Addategala, East Godavari District.

3. The case of the petitioner is that he is a merchant carrying on business of sale of various consumable items including black jaggery and he is not indulging in any criminal activity as sought to be alleged by the respondents.

4. Learned counsel for the petitioner submits that black jaggery being a perishable item, seizing and keeping it in the custody by the respondents would result in grave hardship to the petitioner. On the contrary petitioner is willing to pay the amount quantified by the respondents towards the seized black jaggery and till finalisation of the criminal proceedings, if the black jaggery is not released, great prejudice would be caused to the petitioner.

5. Learned Government Pleader, fairly submits that similar orders are passed in W.P.No.37322 of 2016 and if the petitioner agrees to pay the full amount quantified, the seized black jaggery, can be directed to be released.

6. Having regard to the these submissions, the interim custody of black jaggery to an extent of 1800 kgs, shall be released subject to petitioner depositing Rs.57,600/- with the 2nd respondent. In

the event of finalization of confiscation proceedings against the petitioner, it is open to the respondents to forfeit the amount deposited by the petitioner pursuant to this order.

7. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

6th January, 2017
Rds

P.NAVEEN RAO,J

