

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.22911 of 2017

ORDER:

Heard the learned counsel for the petitioner and also learned Government Pleader for Civil Supplies for respondents and perused the prayer and affidavit filed in support of the writ petition along with material.

The prayer in the writ petition is as follows:

“To issue a writ, order or direction more particularly one in the nature of writ of mandamus, declaring the seizure proceedings dt.04.03.2017 issued by the 4th respondent there by suspending petitioner's authorization with respect to fair price shop No.34, Vavintaparathi Village, Podalakur Mandal, SPSR Nellore District as illegal, arbitrary and set aside the same and consequently direct the respondents to restore petitioner's authorization with respect to fair price shop No.34, Vavintaparathi Village, Podalakur Mandal, SPSR Nellore District and to pass such other order or orders.”

As per the panchanama, the rice in question is alleged as PDS rice. Once it is the PDS rice, the question of interim custody does not arise including pending of Section 6-A proceedings of the Essential Commodities Act.

Having regard to the above as Section 6-A proceedings are stated pending, while directing the petitioner to appear as respondent to the said proceedings before the Collector (CS) on 28.07.2017 and on such other dates to be fixed by filing his objection after receiving the papers therein and the learned Collector (CS) shall dispose of the Section 6-A proceedings within two (02) months from the date of receipt of a copy of this order and not to dispose of the said rice in question meantime. Any further grievance of the petitioner is left open.

With the above observations, the Writ Petition is disposed of.

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

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 18.07.2017
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