

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.26075 of 2017

ORDER:

Heard the learned Counsel for the petitioner and the learned Government Pleader for the respondents.

It is the case of the petitioner that he wanted to purchase boiled rice from Tamil Nadu State and sell the same to fishermen of Tada and surrounding Villages to eke out his livelihood. He purchased 140 bags of boiled rice and 25 bags of damaged boiled rice as there are no restrictions for movement of rice and paddy in the entire country. While so, when the stock was being transported on 24.05.2017, the same was seized by the Incharge Civil Supplies Deputy Tahsildar on the ground that 165 bags of rice belongs to PDS rice of Tamil Nadu and also Orissa. Now proceedings under Section 6A of the Essential Commodities Act are taken up and the same are pending before the second respondent. Though a petition was filed on 15.06.017 for release of the said stock, no orders have been passed till today. In those circumstances, the petitioner approached this Court.

Since the seized stock was already wet by the time of seizure and no useful purpose would be served by keeping the stock under custody, the same shall be released by taking the sample of the seized rice and photographs of the bags and other evidence, on condition of the petitioner furnishing a bank

guarantee for a sum of Rs.1,40,000/- (Rupees one lakh forty thousand only), which is stated to be the value of the seized stock. The release of the stock and furnishing of the bank guarantee shall be subject to further orders passed by the second respondent.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

04.08.2017

Note: Issue C.C by tomorrow.

B/o.

vs

(A.RAMALINGESWARA RAO, J)

