

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.21013 OF 2017

ORDER:

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

“to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.2 in taking steps to sell his entire seized stocks of rice 694 bags each 50 kg., bag in public auction through interim disposal without issuing any show cause notice to petitioner and without disposing his representation dated 22.06.2017 and consequent action of the 3rd respondent in conducting panchanama dated 20.06.2017 and seizing the entire stocks under levy order, 1984 is illegal, arbitrary and in violation of principles of natural justice and consequently set aside the panchanama dated 20.06.2017 conducted by the 3rd respondent and pass such other order or orders may deem fit and proper in the circumstances of the case.”

2. Heard learned counsel for the petitioner and perused the prayer in the writ petition with supporting affidavit and the other material on record, including the impugned seizure and panchanama proceedings dated 20.06.2017 and also heard the learned Government Pleader for Civil Supplies, representing the respondents.

3. When the matter is called, it is the submission of the learned Government Pleader for Civil Supplies representing for the respondents that already section 6A proceedings under Essential Commodities Act were initiated and the same are pending.

4. Having regard to the above, this writ petition is disposed of, while directing the petitioner to appear before the Joint Collector (CS) on 07.07.2017 and on such other dates being fixed for the enquiry, the Joint Collector (CS) – 2nd respondent herein is directed to complete the section 6A proceedings within two months from the date of receipt of a copy of this order.

5. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

DR.B.SIVA SANKARA RAO,J

28.06.2017
SS