

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

W.P.No.46914 of 2016

ORDER:

The grievance of the petitioner in the present writ petition is the inaction on the part of the 4th respondent-Tahsildar (CS), Chapadu mandal, Kadapa district in filing the report before the 2nd respondent-Joint Collector with respect to seizure of F.P. Shop bearing No.25 of Kotha Rajuvaripeta village, Chapadu mandal, Kadapa district belonging to the petitioner.

2. It is submitted by the learned counsel for the petitioner that though the stocks and fair price shop were seized by virtue of panchanama dated 5.5.2016, no further action has been taken by the respondent authorities as per the provisions of Section 6-A of the Essential Commodities Act.

3. Today, when the matter is taken up, written instructions of the Tahsildar, Chapadu mandal dated 16.1.2017 furnished to the office of the learned Government Pleader have been placed on record. In the said instructions, it is stated that the Tahsildar submitted a report under Section 6-A of the Essential Commodities Act, 1955, as there is a prima facie case of violating the conditions of authorisation and the case is pending enquiry. It is also stated that the Joint Collector has also taken up the case and issued orders for disposal of seized stocks through public distribution system vide proceedings dated 13.5.2016. It is also submitted by the learned counsel for the petitioner that so far no notice has been issued to the petitioner herein, so as to enable him to participate in the enquiry.

4. Having regard to the above information furnished, the writ petition is disposed of, directing the 2nd respondent-Joint Collector to conduct enquiry under Section 6-A of the Essential Commodities Act, 1955 and pass final orders, after giving notice and opportunity to the petitioner herein, within a period of four weeks from the date of receipt of this order. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 14.2.2017
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