

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.38444 OF 2017

O R D E R :

This writ petition is filed challenging the action of the respondents in seizing the rice of 104.16 quintals in House No.6/194-1 at Mydukuru Village by conducting Panchanama dated 31.08.2017 on the ground of violation of A.P. Scheduled Commodities Dealers (Licensing, Storage and Regulation) Order, 2008, alleging that the same were PDS rice.

Learned counsel for the petitioner submits that the rice seized does not belong to PDS rice and that without any basis the 2nd respondent passed order dated 19.09.2017 for interim disposal of the seized stock, though petitioner made application for release of the seized stocks.

Heard learned Assistant Government Pleader for Civil Supplies.

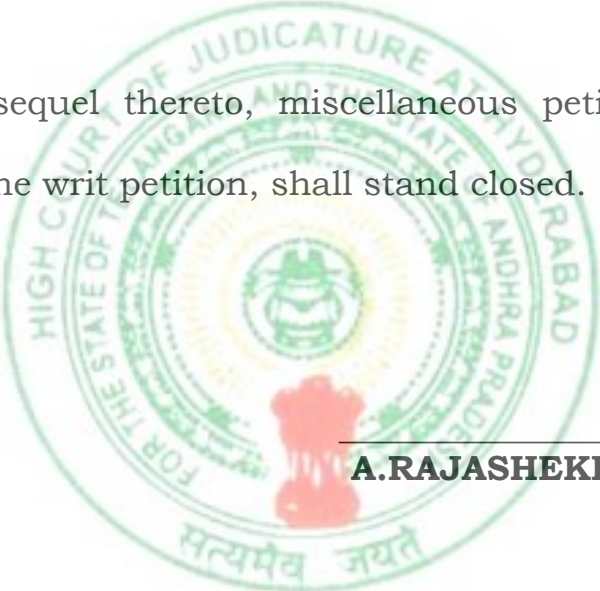
The contention of the petitioner has to be looked into by the 2nd respondent in the enquiry under Section 6 A of the Essential Commodities Act. Though learned Counsel for the petitioner relied on some interim orders wherein this Court ordered for release of the seized stocks, what was the 'panchanama' which is challenged in the said cases is not placed before this Court. In view of the same, the 2nd respondent is directed to conclude the enquiry, only after

issuing show cause notice, under Section 6A of the Act and after considering the explanation of the petitioner, within six weeks from the date of receipt of a copy of this order. Till then, the seized stocks shall not be sold or disposed. In case, the 2nd respondent failed to conclude the enquiry within six weeks, he shall release the seized stocks to the petitioner on obtaining security to his satisfaction.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

29.11.2017
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A.RAJASHEKER REDDY, J