

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.35036 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the action of the third respondent in collecting the market fee on paddy while in transit, which is importing from other states by the petitioner as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and the learned Government Pleader representing the first respondent.

3. It is the case of the petitioner that the State Government issued a memo No.S111(3)P-11170/2014, dated 19.06.2014 directing the concerned Officials not to collect the market fee from the persons who purchased the paddy and other items from outside the notified area. It is the case of the petitioner that he purchased the paddy in the State of Maharashtra for the purpose of processing and export.

4. As per the above said memo, the market committee has no right whatsoever to collect the fee on the paddy purchased by the petitioner from outside the notified area.

5. Having regard to the Memo No.S111(3)P-11170/2014, dated 19.06.2014 issued by the 2nd respondent, the third respondent is hereby directed not to collect the market fee on paddy while in transit, which is importing from other states by the petitioner, subject to production of cash receipts, or letter of payment issued by concerned authorities, before 3rd respondent, showing that

petition has been importing paddy from other States for the purpose of milling.

6. With the above direction, the writ petition is disposed of. Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

T.SUNIL CHOWDARY, J

26th April 2018,
Rns

