

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.26992 of 2019

ORDER:

This Writ Petition is filed seeking writ of *mandamus* declaring the action of the respondents in seizing Lorry bearing No.AP 02 TB 3224 of the petitioner, under panchanama dated 14.11.2019, as illegal and arbitrary.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Civil Supplies, appearing for respondents.

It is stated by the learned counsel for the petitioner that in similar circumstances, this Court granted interim order in W.P.No.25486 of 2019 dated 29.11.2019 and same is not disputed by the learned Assistant Government Pleader for Civil supplies.

In view of the same, this Writ Petition is disposed of directing the respondents to release the vehicle of the petitioner on the following conditions:

- a) on production of documents regarding his ownership;
- b) on furnishing immoveable property security equivalent to the value of the seized vehicle.
- c) on production of an undertaking to the effect that he will produce the vehicle as and when required and also that he will not alienate the vehicle or alter its nature or create any encumbrance over it till completion of enquiry under Section 6 A of the Essential Commodities Act, 1955 (for short, 'the Act').
- d) It is also made clear that if the petitioner do not present the vehicle before the authorities concerned as and when required, the respondents shall be at liberty to initiate

criminal proceedings against the petitioner and take appropriate action in accordance with law.

- e) Release of the vehicle of the petitioner is subject to further orders in the enquiry under Section 6 A of the Act.

There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

Date: 06.12.2019
va

