



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 29.10.2020**

**CORAM:**

**THE HON'BLE MR JUSTICE ABDUL QUDDHOSE**

**W.P. (MD) No.14936 of 2020**

**(Through Video Conference)**

WEB COPY

V.Ramraj

... Petitioner

Vs.

1) The Commissioner,  
Civil Supplies and Consumer Protection Department,  
Ezhilagam IV Floor,  
Chepauk, Chennai 600 005

2) The District Supply Officer cum  
Consumer Protection Officer,  
Kanyakumari District at  
Nagercoil.

... Respondents

**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent to dispose of the petitioner's appeal dated 24.08.2020 within the time frame fixed by this Court.

For Petitioner : Mr.S.Prasanth

For Respondents : Mr.C.Ramesh,  
Special Government Pleader.

**O R D E R**

Mr.C.Ramesh, learned Special Government Pleader accepts notice on behalf of the respondents. By consent of both sides, this writ petition is taken up for final disposal at the stage of admission itself.

2. This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to dispose of the petitioner's statutory appeal under the Essential Commodities Act, which was filed on 24.08.2020 within a time frame to be fixed by this Court.

3. It is the case of the petitioner that his lorry bearing Registration No.TN 37 Z 7599 was seized by the Inspector of Police, Civil Supplies CID, Kuzhithurai on 10.05.2017 for the alleged illegal transportation of 80 bags of rice. According to the petitioner, the second respondent, by his order dated 22.06.2020, imposed a fine amount of Rs.1,35,000/- for the release of the vehicle. Aggrieved by the same, the petitioner has preferred the statutory appeal under the Essential Commodities Act before the



first respondent on 24.08.2020.

4. According to the petitioner, till date, the appeal has not been disposed of by the first respondent. In such circumstances, he seeks for a direction from this Court to the first respondent to dispose of the statutory appeal within the time frame to be fixed by this Court.

5. Admittedly, the lorry bearing Registration No.TN 37 Z 7599 belonging to the petitioner was seized under the Essential Commodities Act for illegal transportation of 80 bags of rice as early as on 10.05.2017. The vehicle has been lying in open and due to the vagaries of nature, there is a possibility of the vehicle becoming worthless in the near future, if it is allowed to remain in open for a long period of time. Admittedly, a statutory appeal under the Essential Commodities Act has been filed by the petitioner before the first respondent aggrieved by the order dated 26.02.2020 passed by the second respondent on 24.08.2020.

6. There is merit in the request made by the petitioner for the early disposal of the statutory appeal filed by him before the first respondent seeking for release of the seized vehicle.

7. For the forgoing reasons, this Court directs the first respondent to dispose of the statutory appeal filed by the petitioner under the Essential Commodities Act, aggrieved by the order dated 22.06.2020 passed by the second respondent in proceedings No.Vool/19059/2017, on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

8. With the aforesaid directions, this writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

**Note:** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To:

1) The Commissioner,  
Civil Supplies and Consumer Protection Department,  
Ezhilagam IV Floor, Chepauk, Chennai 600 005

2) The District Supply Officer cum  
Consumer Protection Officer,  
Kanyakumari District, Nagercoil.

+1 CC to M/s.GP ( SR-20817[F] dated 02/11/2020 )

Order made in

**W.P. (MD) No.14936 of 2020**

**CK(CO)**

**AP(23/11/2020) 3P 4C**