

**HIGH COURT FOR THE STATE OF TELANGANA
(Special Original Jurisdiction)**

MONDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND TWENTY

PRESENT

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO: 13489 OF 2020

Between:

Singam Satish, S/o. Late Singam Surya, Aged about 53 years, Occ. Business
R/o. H.No.7-110, Madhupuri Colony, Ranga Reddy District.

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary, Consumer affairs, Food and Civil Supplies Secretariat Buildings, Hyderabad.
2. The Collector (Civil Supplies), Ranga Reddy District, Lakdikapool, Hyderabad.
3. The Deputy Tahildhar, Enforcement, Office of the District supplies Officer, Ranga Reddy District, Lakdikapool, Hyderabad.
4. The Station House Officer, Maheswaram Police Station, Ranga Reddy District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature Writ of Mandamus, declaring the seizure of 200 quintals of rice (actual quantity 280 quintals) of the petitioner basing on the panchnama conducted on 24.07.2020 by the respondents, as illegal, arbitrary, improper and without power or authority under law.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to release the seizure of 200 quintals of rice (actual quantity 280 quintals) of the petitioner basing on the panchnama conducted on 24.07.2020 by the respondents pending disposal of the above writ petition.

Counsel for the Petitioner: SRI. K. RATHANGA PANI REDDY

Counsel for the Respondent Nos. 1 to 3: GP FOR CIVIL SUPPLIES

Counsel for the Respondent No. 4: GP FOR HOME

The Court made the following:

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.13489 of 2020

ORDER:

Heard learned counsel for the petitioner, and learned Government Pleader for Civil Supplies Department.

It is the case of the petitioner as per the averments in the writ affidavit that he is a trader of rice by purchasing paddy from farmers and after milling the same, he sells the rice to shops in the market. It is his grievance that respondents came to IDA Mankal Weigh Bridge and seized 200 quintals of rice (actually 280 quintals) vide Panchanama dated 24.07.2020 on the allegation that the rice is Public Distribution System (PDS) Rice, and registered a case against the petitioner under Section 6-A of the Essential Commodities Act.

A careful perusal of the seizure panchanama recorded in Telugu would disclose that it is clearly mentioned in the seizure panchanama that about twenty (20) tons of PDS rice along with bags was seized.

In those circumstances, as enquiry is required to be conducted, the 2nd respondent-Collector(CS) shall release the seized stock on the condition of the petitioner furnishing Bank Guarantee for the value of the seized stock. The release of vehicle is in view of the situation existing on account of COVID-19, and the release shall be subject to the orders to be passed in the pending enquiry under Essential Commodities Act.

Subject to the above, the writ petition is disposed of. No costs. Miscellaneous petitions, if any pending, shall stand closed.

//TRUE COPY//

**SD/-K.AMMAJI
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Principal Secretary, Consumer affairs, Food and Civil Supplies, State of Telangana, Secretariat Buildings, Hyderabad.
2. The Collector (Civil Supplies), Ranga Reddy District, Lakdikapool, Hyderabad.
3. The Deputy Tahildhar, Enforcement, Office of the District supplies Officer, Ranga Reddy District, Lakdikapool, Hyderabad
4. The Station House Officer, Mahesi varam Police Station, Ranga Reddy District
5. One CC to Sri. K. Rathangamani Reddy, Advocate (OPUC)
6. Two CCs to GP for Civil Supplies, High Court for the State of Telangana at Hyderabad (OUT)
7. Two CCs to GP for Home, High Court for the State of Telangana at Hyderabad (OUT)
8. Two CD Copies.

HIGH COURT

DATED:24/08/2020

ORDER

WP.No.13489 of 2020



Disposing of the WP
Without costs

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01/09/2020