

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

FRIDAY, THE TWENTY FIFTH DAY OF JUNE
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO. 27317 OF 2016

Between:

1. A.Gopi Krishna, S/o. A.Hanmanth Rao, Aged about 23 years, Occ: Business and Owner of Lorry bearing No. AP 05 TD 3186, R/o. H.No. 1-110, Vakalapudi Street, Kakinada Town, East Godavari District, Andhra Pradesh.
2. Chirra Yakanna, S/o. Chirra Buchi Reddy, Aged about 25 Years, Occ: Business, Prop. of M/s. Vinayaka Traders, Vavilala Nellikuduru Mandal, Warangal District.

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Commissioner of Civil Supplies Department and Ex-Officio Secretary, 3rd Floor, Civil Supplies Bhavan, Somajiguda, Hyderabad.
2. The Collector (CS), Khammam District, Collectorate Complex, Wyra Road, Khammam.
3. The Deputy Tahsildar (CS), Office of Tahsildar, Sathupally Mandal, Khammam 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 a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.3 in conducting false Panchanama dated 24-07-2016 and seizing the Lorry bearing Registration No. AP 05 TD 3186 worth of Rs.5.00 Lakhs of the 1st petitioner herein and entire rice quintal 205.75 Kgs., worth of Rs.3,70-500-00 of the 2nd petitioner where the driver of the Lorry is having all concerned documents Bill, Waybill and Market Fee Receipt of the rice as illegal, arbitrary and in violation of principles of Natural Justice and set-aside the same, Consequently direct the 2nd respondent to release the lorry bearing Registration No. AP 05 TD 3186 in favour of the 1st petitioner and rice quintal 205-75 Kgs., in favour of the 2nd petitioner forthwith the same.

WPMP. NO: 33843 OF 2016

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 2nd respondent to release the Lorry bearing Registration No. AP 05 TD 3186 of

5/2010 Model worth of Rs.5.00 Lakhs in favour of the 1st petitioner herein and entire rice quintal 205.75 Kgs., worth of Rs.3,70,500-00 in favour of the 2nd petitioner on furnishing Bank Guarantee to the worth of Lorry and rice pending 6-A proceedings before the 2nd respondent, pending disposal of the main writ petition.

Counsel for the Petitioner: SRI BOLLAM LINGAIAH YADAV

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION No.27317 of 2016

ORDER :

When the matter is taken up, it is submitted by the learned counsel for petitioner that in view of the interim order dated 16.08.2016, no further orders are necessary in this writ petition.

Therefore, the writ petition is disposed of in terms of the interim order dated 16.08.2016. However, the release of stocks and vehicle shall be subject to the outcome of proceedings under Section 6-A of the Essential Commodities Act. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

**SD/-B.SATYAVATHI
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. One CC to Sri Bollam Lingaiah Yadav, Advocate [OPUC]
2. Two CCs to GP for Civil Supplies, High Court for the State of Telangana at Hyderabad, [OUT]
3. Two CD Copies.
4. One Spare Copy.

MBC
ns

HIGH COURT

DATED:25/06/2021

ORDER

WP.No.27317 of 2016



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

Handwritten signature and date:
25/06/2021