

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

**FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY ONE**

PRESENT

THE HONOURABLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION NO: 37405 OF 2021

Between:

Mohammed Farooq, S/o. Mohammed Tajoddin Aged about 35 years, Occ.
Business R/o 1-33, Power I-house colony, Jainoor Mandal, Komuram Bheem
District (Erstwhile Adilabad district)

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Consumer Affairs, Food and Civil Supplies, T.S Secretariat Buildings, Hyderabad.
2. The Collector (CS), Warangal district, Warangal.
3. The Deputy Tahasildar (CS), Warangal, Warangal district.
4. The Assistant Civil Supply Officer, Warangal, Warangal District.
5. The Station House officer, P.S. Inthegar Gunj, Warangal, Warangal 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 of WRIT OF MANDAMUS declaring the action of the respondents 2 to 5 in seizing the rice 700 bags (350) Quintals of the petitioner under cover of Panchanama dated 22-06-2021 (FIR Crime No. 194/2021 dated 22-06-2021) is illegal, improper without any power or authority under law and violation of Articles 19(1)(g) of the constitution of India and set aside the same.

IA NO: 1 OF 2021

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 Nos. 2 to 5 to release the seized rice 700 bags 350 Quintals of the petitioner under cover of Panchanama dated 22-06-2021 (FIR Crime No. 194/2021 dated 22-06-2021) to the petitioner pending disposal of the main Writ petition.

Counsel for the Petitioner: Smt. C SUNITHA KUMARI

Counsel for the Respondent No. 1 to 4: GP FOR CIVIL SUPPLIES

Counsel for the Respondent No.5: GP FOR HOME

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

Writ Petition No.37405 of 2021

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Civil Supplies appearing for respondents 1 to 4 and the learned Government Pleader for Home for respondent No.5.

2. Learned counsel for the petitioner submits that this Court in similar circumstances passed order dt.17.09.2021 in WP.No.22611 of 2021. The same is not disputed by the learned Government Pleader for Civil Supplies.

3. Both counsel agreed for disposal of the Writ Petition, in terms of the order dt.17.09.2021 in WP.No.22611 of 2021, with direction to conclude the proceedings under Section 6-A of the Essential Commodities Act, 1955 (for short 'the Act, 1955') expeditiously.

4. Therefore, the respondents are directed to finalize proceedings under Section 6-A of the Act, 1955 expeditiously preferably within a period of eight weeks from the date of receipt of copy of this order. However, pending finalization of Section 6-A proceedings, as rice is a perishable item, respondents are directed to release the stock of rice belonging to the petitioner, subject to the petitioner furnishing fixed deposit receipt to the extent of 50% of the value of stock quantified by competent authority and personal bond for

remaining 50%. If the confiscation proceedings end in confiscation of rice, it is open to the Collector to adjust the amount in the fixed deposit. If any additional amount is due from the petitioner after adjusting the amount in the fixed deposit, it is open to the Collector to take steps to recover the balance amount.

5. With the above direction, the Writ Petition is disposed of. No order as to costs.

Consequently, miscellaneous petitions pending, if any, shall stand closed.

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

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Consumer Affairs, Food and Civil Supplies, State of Telangana, T.S Secretariat Buildings, Hyderabad
2. The Collector (CS), Warangal district, Warangal.
3. The Deputy Tahasildar (CS), Warangal, Warangal district.
4. The Assistant Civil Supply Officer, Warangal, Warangal District.
5. The Station House officer, P.S. Inthegar Gunj, Warangal, Warangal district .
6. One CC to Smt. C SUNITHA KUMARI Advocate [OPUC]
7. Two CCs to GP FOR CIVIL SUPPLIES High Court for the State of Telangana [OUT]
8. Two CCs to GP FOR CIVIL HOME, High Court for the State of Telangana. [OUT]
9. Two CD copies.
10. One spare copy.

GB

SW

21/4

HIGH COURT

DATED:31/12/2021

ORDER

WP.No.37405 of 2021



DISPOSING OF THE WP
WITHOUT COSTS.

13
10/1/22
HJL