



**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**FRIDAY, THE TWENTY EIGHTH DAY OF APRIL,
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE D RAMESH
WRIT PETITION NO: 10675 OF 2023**

Between:

Navadurga Rice Traders, Rep. by its Proprietor, Thupakula Pavan Kalyan,
S/o. Krishnaiah, aged about 25 years, D.No. 6/720, Proddatur Road, Mydukur
Town AND Mandal, Y.S.R. Kadapa District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Civil Supplies Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Joint Collector, Kadapa, YSR District.
3. The Assistant Supply Officer, Kadapa, YSR District.
4. The Tahsildar, Mydukur Mandal, YSR District

...Respondents

Petition under Article 226 of the Constitution of India is filed 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 3rd Respondent in seizing of 30,000 Kgs of PDS Rice under cover of Panchanama Dated. 13.03.2023 and further order of the 2nd Respondent issuing the interim order dated. 29-03-2023 Vide Case No.1(2)/123/2023 directing the 4th Respondent to take possession of the seized stock from the stockiest, MLS point, Mydukur and dispose of the same through public auction and keep the sale proceeds under 8443 Revenue Deposits Head of Account till the disposal of the case and report compliance as illegal, improper arbitrary and without any power of authority under law and violation of Articles of 14 and 19(1)(g) of the Constitution of India and contrary to the provisions of the essential commodities Act, 1955 and the orders made there under consequently direct the respondent to release the seized stock to the petitioner.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the 4th Respondent to release the seized Stock of 3000 Kgs of PDS Rice, of the petitioner as per the Panchanama Dated : 13-03-2023 by furnishing third Party Security, pending disposal of WP.No.10675 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Miss

Popuri Lakshmi Priyanvita, Advocate for the Petitioner and GP for Civil Supplies for the Respondents, the Court made the following;

ORDER:

"The Writ Petition is filed declaring the action of the 3rd respondent in seizing of 30,000 Kgs of PDS rice under the cover of Panchanama dated 13.03.2023 and further order of the 2nd respondent issuing the interim order dated 29.03.2023 directing the 4th respondent to take possession of the seized stock and dispose of the same through public auction and keep the sale proceeds under 8443 Revenue Deposits Head of Account till the disposal of the case.

Learned counsel for the petitioner has contended that the said order is not under the Provisions of the Control Order, 2018. Further the learned counsel for the petitioner has contended that the petitioner filed a petition to release the stock. But the respondents without considering the application filed by the petitioner in proper perspective has passed the impugned orders.

Considering the submissions, there shall be stay of further proceedings.

For filing counter, post after four(4) weeks."

//TRUE COPY//

SD/- CHITTI JOSEPH
ASSISTANT REGISTRAR

For, SECTION OFFICER

To,

1. The Principal Secretary, Civil Supplies Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District, State of Andhra Pradesh.
2. The Joint Collector, Kadapa, YSR District.
3. The Assistant Supply Officer, Kadapa, YSR District.
4. The Tahsildar, Mydukur Mandal, YSR District (Addressee Nos.1 to 4 by RPAD)
5. One CC to Miss Popuri Lakshmi Priyanvita, Advocate [OPUC]
6. Two CCs to GP for Civil Supplies, High Court of Andhra Pradesh. [OUT]
7. One spare copy



HIGH COURT

DRJ

DATED:28/04/2023

NOTE: POST AFTER FOUR (4) WEEKS

ORDER

WP.No.10675 of 2023

STAY

