

THE HONOURABLE SRI JUSTICE D.RAMESH

WRIT PETITION No.2366 of 2023

ORDER:

This Writ Petition under Article 226 of the Constitution of India is filed seeking to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the seizure of rice and lorry vehicle bearing No. TS 33 T 4253 Mahazarnama dated 26.11.2022, registration of the case in Crime No.187/2022 by the 4th respondent and initiation of proceedings under Section 6(A) of EC Act by the 2nd respondent as illegal, arbitrary and consequently direct Respondent Nos.2 to 4 to release the seized lorry bearing No. TS 33 T 4253 to the petitioners.

Heard the learned counsel for the petitioners and the learned Government Pleader for Civil Supplies appearing for the respondents.

During hearing, the learned Government Pleader for Civil Supplies appearing on behalf of the respondents on instructions has submitted that the respondents have considered the petitioner's case under Section 6-A of the

Essential Commodities Act, 1955 the said proceedings were concluded and notice under Section 6-B was issued to the petitioners. Learned Government Pleader further submits that if the petitioners have any grievance, they have an alternative remedy of statutory appeal.

Learned Government Pleader has brought to the notice of the Court about the orders passed by this Court in identical matters i.e., in W.P.No.42255 of 2022 wherein this Court directed the petitioner(s) therein to avail alternative statutory remedy of appeal under Section 6-A of the Essential Commodities Act, 1955.

Considering the above said orders passed by this Court, this Writ Petition is also disposed of giving liberty to the petitioners to avail statutory remedy of appeal provided under the Essential Commodities Act, 1955. No costs.

Miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE D.RAMESH

Date : 08.02.2023
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