

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.74 of 2015

Date: 07-01-2015

Between:

Pasam Kondaiah

.. Petitioner

AND

The State of Andhra Pradesh, represented by its
Secretary, Civil Supplies, Secretariat, Hyderabad
and 4 others

.. Respondents

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.74 of 2015

ORDER:

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This writ petition is filed seeking a writ of mandamus for declaring the action of the respondents in effecting the seizure of the fair price shop of the petitioner bearing No.24 (3A) of Kandukur Town and Mandal, Prakasam District and seizing of essential commodities therein on 22-12-2014 by the Enforcement Deputy Tahsildar, the 5th respondent, and the action of the 2nd respondent in not passing any orders for release of commodities as illegal and arbitrary.

The case of the petitioner is that he is a regular Fair Price Shop Dealer of Shop No.,24 (3A) of Kandukar Town and Mandal, Prakasam District and has been appointed as Regular fair price shop dealer in the year 2009. It is stated that on 22-12-2014, the Enforcement Deputy Tahsildar conducted inspection in the absence of the petitioner and seized the available stock of sugar in

his shop under the cover of Panchanama and initiated Section 6-A proceedings before the Collector (CS). Thereafter, he filed a petition on 26-12-2014 before the 2nd respondent for release of sugar seized from his shop, but no orders are passed. In the meanwhile, the respondents 3 and 4 stopped supply of stocks to the petitioner's shop though the petitioner paid the amounts for supply of stocks. It is further stated that the authorisation of the petitioner's fair price shop is still valid and subsisting. Aggrieved by the same, the present writ petition is filed.

Heard the both sides.

Since it is stated that the authorisation of the petitioner's price shop is valid and subsisting, the respondents 3 and 4 are directed to supply the stocks to the petitioner as long as the authorisation of the petitioner's price shop is valid and subsisting.

With the above direction, the writ petition is disposed. No costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A. RAJASHEKER REDDY, J

Date: 07-01-2015

Ksn/Siva