

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION Nos.28676, 28678 and 28679 of 2009

Date:31.12.2009

Between:

G. Srinivas Rao and others.

..... PETITIONERS

AND

The District Collector, Nalgonda District and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION Nos.28676, 28678 and 28679 of 2009

COMMON ORDER:

The petitioners, earlier, approached this Court by filing W.P.Nos.16143, 16149 and 16150 of 2009 and this Court disposed of them on 06.08.2009 directing the District Collector to complete the enquiry proceedings and further directed not to sell the seized stocks during the pendency of the enquiry. Despite the same, as no final orders have been passed, the petitioners approached this Court by filing the present writ petitions.

Pursuant to the earlier orders of this Court in W.P.Nos.16143, 16149 and 16150 of 2009 dated 06.08.2009, the Collector concerned directed the Revenue Divisional Officer concerned to hold an enquiry and submit a report. Accordingly a report dated 05.09.2009 was submitted, wherein it is stated as under:

“The Tahsildar, Nereducherla has enquired the representation (9) farmers referred by the District Collector, Nalgonda and submitted his report dt 6-8-09 and 22-8-09. The Tahsildar, Nereducherla visited agricultural fields of ryots, enquired about cultivation of BPT paddy with neighboring ryots, stated that all the ryots referred by the District Collector, Nalgonda is cultivated BPT paddy during the 2008 Abi using NSP water in their patta lands and their leased land. Sri Konatham Ram Narsimha Reddy S/o Budda Reddy R/o Nereducherla has taken an extent of Ac.20-09 gts of land on lease from Sri Konatham Venkat Reddy S/o Ranga Reddy, Sri Konatham Venkat Reddy S/o Satyanarayana Reddy, Smt Malgireddy Padmamma W/o Sambhi Reddy and Sri Malgireddy Srinivas Reddy S/o Sambhi Reddy all residents of Nereducherla and further all the 9 ryots deposited the BPT paddy in Andhra Pradesh State Warehouse Corporation Godown

Nereducherla and obtained A.P.S.W.H.C. receipts. All the 9 ryots taken loan from SBH Bethavolu and Nereducherla after deposit of these original receipts of APSWHC the details of paddy produced, deposit of APSWHC godown, Nereducherla and its receipts and bank loan obtained by the ryots depositing APSWHC original receipts are given in the proforma given.”

From a perusal of the above, it appears that the petitioners are agriculturists and the stocks that were seized are their agricultural produce. As the Collector did not pass any orders despite directions given by this Court earlier in W.P.Nos.16143, 16149 and 16150 of 2009 on 06.08.2009, stocks seized are hereby ordered to be released in favour of the petitioners. However, the petitioners shall furnish third party security equivalent to the value as assessed by the Collector.

These three Writ Petitions are disposed of. No costs.

(GOPALA KRISHNA TAMADA, J)

31st December, 2009

Note: Issue wire at party's costs.

(B/o)

GHN