

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

**FRIDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 36483 OF 2024

Between:

Dhanavath Narendra Naik, S/o. Usha Naik Aged about 40 years, Occ. Agriculture
R/o. H.No.5-104, Jankuthanda, Venkatadripalem Miryalaguda, Nalgonda Dist. - 508
207.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Civil Supplies Department, Secretariat Buildings, Hyderabad.
2. The Collector (Civil Supplies), Nalgonda District, Telangana State.
3. The District Civil Supplies Officer, Nalgonda District.
4. The Deputy Tahsildar (Civil Supplies), Miryalaguda, Nalgonda District.
5. The Station House Officer, Miryalaguda Rural Police Station, Nalgonda 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 a Writ, Order, direction especially one in the nature of Writ of Mandamus declaring the action of the 4th respondent in seizing 200 quintals of rice along with vehicle (Trolley) bearing No. TS 05 UD 7212 belongs to the petitioner in connection with Panchanama dated 12-08-2024 in Crime No.290/2024, Miryalaguda Rural Police Station, Nalgonda District is illegal, arbitrary, without jurisdiction and contrary to the provisions of the Essential Commodities Act, 1955 and the Control Orders made there under including the Telangana State Public Distribution System (Control) Order, 2016 and direct the

respondents to release the seized stock of 200 quintals of rice and the Goods Carriage (LMV) bearing No. TS 05 UD 7212 in favour of the petitioner.

IA NO: 1 OF 2024

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 to release the seized stock of 200 quintals of rice of the petitioner and the Goods Carriage (LMV) bearing No. TS 05 UD 7212 seized vide Panchanama dated 12-08-2024 in Crime No.290/2024 on the file of Miryalguda Rural P.S., Nalgonda, pending disposal of the main writ petition.

Counsel for the Petitioner : SRI CH.RAVINDER

Counsel for the Respondents: AGP FOR CIVIL SUPPLIES

The Court made the following: ORDER

HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.36483 of 2024

ORDER:

Heard Sri Ch.Ravinder, learned counsel appearing on behalf of the petitioner and the learned Assistant Government Pleader for Civil Supplies, appearing on behalf of the respondents.

2. The petitioner approached the Court seeking prayer as under:

"...to issue a Writ, Order, direction especially one in the nature of Writ of Mandamus declaring the action of the 4th respondent in seizing 200 quintals of rice along with vehicle (Trolley) bearing No.TS 05 UD 7212 belongs to the petitioner in connection with Panchanama dated 12-08-2024 in Crime No.290/2024, Miryalaguda Rural Police Station, Nalgonda District, is illegal, arbitrary, without jurisdiction and contrary to the provisions of the Essential Commodities Act, 1955 and the Control Orders made there under including the Telangana State Public Distribution System (Control) Order, 2016 and direct the respondents to release the seized stock of 200 quintals of rice and the Goods Carriage (LMV) bearing No.TS 05 UD 7212 in favour of the petitioner and pass such other order or orders as

this Hon'ble Court may deem fit and proper in the circumstances of the case".

3. It is represented by the learned counsel appearing on behalf of the petitioner that the subject issue in the present writ petition is squarely covered by the order of this Court dated 07.11.2024 passed in W.P.No.30359 of 2024, hence, the writ petition could be disposed of in terms of the aforesaid order.

4. The learned Assistant Government Pleader for Civil Supplies appearing on behalf of the respondents submits that the said order dated 07.11.2024 passed in W.P.No.30359 of 2024 would apply to the petitioner in the event 6-A proceedings had not been concluded.

5. Learned counsel appearing on behalf of the petitioner submits that as on date, 6-A proceedings had not been concluded in respect of the subject issue.

6. Taking into consideration the aforesaid facts and circumstances of the case and the submissions made by the learned counsel appearing on behalf of the

petitioner and the learned Assistant Government Pleader for Civil Supplies appearing on behalf of the respondents, the writ petition is disposed of directing the respondents to release the seized stock of 200 quintals of rice in favour of the petitioner on condition of furnishing immovable property as a security equivalent to the value thereof, if the stocks have not been disposed of by way of interim sale so far and also release the vehicle (Trolley) bearing No. TS 05 UD 7212 in favour of the petitioner subject to the petitioner furnishing a bank guarantee by way of fixed deposit for a sum of Rs.25,000/- (Rupees twenty five thousand only) in favour of respondent No.2-the Collector (Civil Supplies), Nalgonda District and also furnishing an undertaking that he will not alienate the subject vehicle or alter its nature or create any encumbrance on it. The release of the vehicle shall be subject to the outcome of the confiscation proceedings under Section 6-A of the Essential Commodities Act, 1955. However, there shall be no order as to costs.

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

SD/-P.CH.NAGABHUSHAMBA
ASSISTANT REGISTRAR

//TRUE COPY//

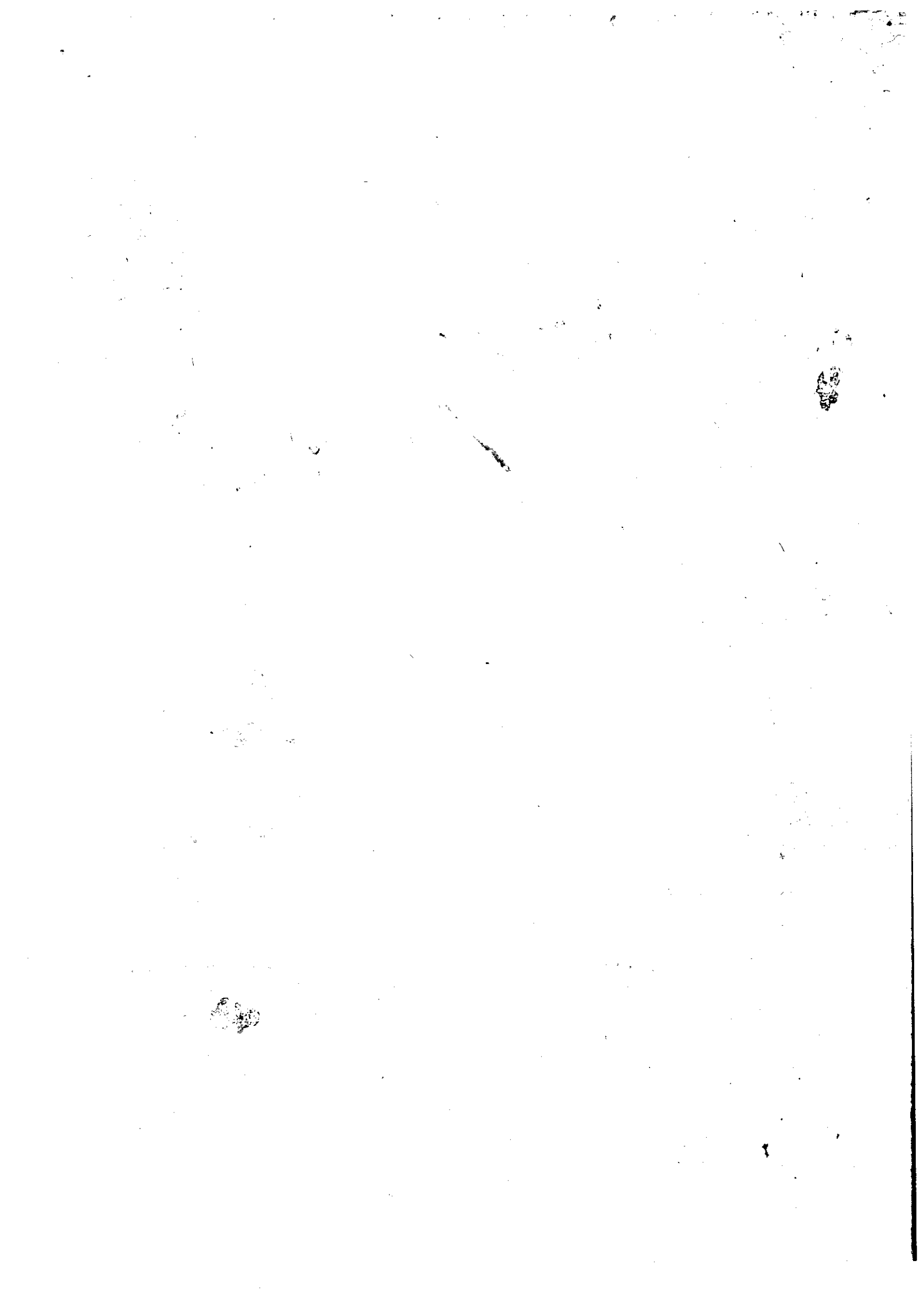
SECTION OFFICER

To,

1. The Principal Secretary, Civil Supplies Department, Secretariat Buildings, State of Telangana, Hyderabad.
2. The Collector (Civil Supplies), Nalgonda District, Telangana State.
3. The District Civil Supplies Officer, Nalgonda District.
4. The Deputy Tahsildar (Civil Supplies), Miryalaguda, Nalgonda District.
5. The Station House Officer, Miryalaguda Rural Police Station, Nalgonda District.
6. One CC to SRI CH.RAVINDER, Advocate. [OPUC]
7. Two CCs to GP FOR CIVIL SUPPLIES, High Court for the State of Telangana. [OUT]
8. Two CD Copies.

BSK/BSK

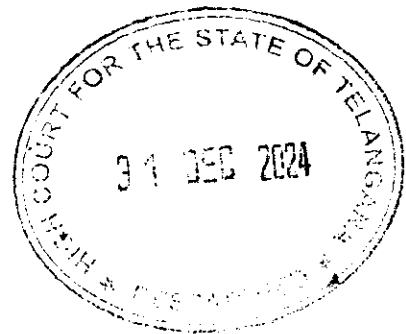




HIGH COURT

DATED:27/12/2024

CC TODAY



ORDER

WP.No.36483 of 2024

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

⑪
31/12/24
bks