



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3459]

TUESDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT
THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

WRIT PETITION NO: 6547/2025

Between:

Kandula Bapuji

...PETITIONER

AND

The State of Andhra Pradesh and others

...RESPONDENT(S)

Counsel for the Petitioner:

1.K SRINIVAS

Counsel for the Respondent(S):

1.GP FOR CIVIL SUPPLIES

The Court made the following order:

The present writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“...to issue a Writ of Mandamus or any other appropriate writ order or direction declaring the action of the 2nd respondent in issuing the endorsement E.C.P.No.03/2025, dated 03.03.2025 is itself is illegal, arbitrary and violation of principles of natural justice and consequently, set aside the endorsement E.C.P.No.03/2025, dated 03.03.2025 to the petitioner on furnishing 50% of bank guarantee of the value of the stocks forthwith and pass such orders as deem fit and proper in the facts and circumstances of the case.”

2. The grievance of the petitioner is that against the Section 6-A petition filed by the Special Deputy Tahsildar (PDS), of Machilipatnam,

the 2nd respondent has issued an endorsement vide E.C.P.No.03/2025, dated 03.03.2025 directing to the petitioner to file a Bank Guarantee for an amount of Rs.6,62,175/- to release the seized stock.

3. Learned counsel for the petitioner submits that due to financial constraints, the petitioner is unable to furnish a bank guarantee as stated in the endorsement and requests this Court to allow the petitioner to provide third party immovable property security for the release of the seized stock.

4. Learned counsel for the petitioner further submits that the petitioner is prepared to file an application before the 2nd respondent/Joint Collector about furnishing third party immovable property security for release of the seized stock.

5. Considering the submissions made by the learned counsel for the petitioner, this Court finds it appropriate to dispose of this writ petition by directing the petitioner to file an affidavit before the 2nd respondent/Joint Collector, Krishna District at Machilipatnam, showing the third party surety, within a period of one (1) week from the date of receipt of a copy of the order. Upon moving such an application, the respondents shall pass appropriate orders on the same, within a period of two (2) weeks. There will be no order as to costs.

6. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

SMT JUSTICE SUMATHI JAGADAM

Date : 18.03.2025

SPP

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

WRIT PETITION NO.6547 of 2025

Date : 18.03.2025

SPP