

[3459]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY ,THE TENTH DAY OF MARCH ✓

TWO THOUSAND AND TWENTY FIVE ✓

:PRESENT:

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

IA No. 1 OF 2025

IN

WP NO: 6121 OF 2025 ✓

Between:

Kota Narasimha Rao, S/o Radha Krishna Murthy, Aged 38 years, Occ:
Proprietor, M/s. Sri Lakshmi Venkateswara Rice Working Company, R/o
HNO 11-191, Pedavadlapudi Village, Guntur District.

...Petitioner/s

AND

1. State of Andhra Pradesh, Rep. by its Prl. Secretary to Government,
Civil Supplies Department, Secretariat, Velagapudi, Guntur. ✓
2. Joint Collector and Addl. District Magistrate, Guntur.
3. Dy. Tahsildar, Civil Supplies, Mangalagiri Guntur.

...Respondents

Counsel for the Petitioner :M SOLOMON RAJU

Counsel for the Respondent :GP FOR CIVIL SUPPLIES

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the auction order in E.C.Act case No 27/2025-S2 dated 13.02.2025 of the 2nd respondent and direct him to release



the 702 quintals of Rice to the petitioner upon furnishing third party surety/ Personal Bond pending disposal of the above writ petition. //

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri M SOLOMON RAJU Advocate for the Petitioner, GP FOR CIVIL SUPPLIES for the Respondent Nos.1 to 3 and the Court made the following.

ORDER:

"Heard learned counsel for the petitioner and learned Assistant Government Pleader for Civil Supplies appearing for the respondents.

Learned counsel for the petitioner submits that the petitioner is the Proprietor of M/s. Sri Lakshmi Venkateswara Rice Working Company, Pedavadlapudi, Mangalagiri. He has purchased 702 quintals of rice from M/s. Laxmi Sahasra Rice Industries, Mukundapuram (V), Nereducherla (M), Telangana State, under two Invoice Nos.2024-25/50 and 2024-25/51, dated 01.02.2025. While so, the 3rd respondent conducted inspection in his rice mill on 04.02.2025 and seized the rice on suspicion that the rice is of PDS rice, without inspecting the register and books. Then, the petitioner has made a representation to the 2nd respondent on 10.02.2025 seeking release of the seized stock of rice. As the representation was not considered, the petitioner has filed W.P.No.4385 of 2025 before this Court, and by an order dated 24.02.2025, this Court disposed of the said writ petition directing the 2nd respondent herein to pass orders on the representation of the petitioner within one week from the date of receipt of a copy of the order. After furnishing copy of the order passed in the writ petition on 05.03.2025, the 2nd respondent has issued 6-B proceedings on 13.02.2025 directing the Tahsildar, Mangalagiri, to sell the seized stock by conducting public auction. //

Learned counsel for the petitioner further submits that without passing orders on the representation of the petitioner as per the directions of this Court in W.P.No.4385 of 2025, the 2nd respondent

cannot pass the impugned proceedings. He further submits that the petitioner has invested huge amount for purchase of the rice, and if the auction is conducted and the seized stock is sold, the petitioner will be put to irreparable loss.

In view of the same, there shall be interim suspension of the auction order in E.C.Act Case No.27/2025-S2 dated 13.02.2025 issued by the 2nd respondent, for a period of eight (8) weeks.

Meanwhile, the petitioner is at liberty to approach the 2nd respondent by making an application for release of the seized stock of 702 quintals of rice, and on receipt of such representation, the 2nd respondent shall consider the same and pass appropriate orders within one week."

//TRUE COPY//

Fr

SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The , Prl. Secretary to Government, Civil Supplies Department, State of Andhra Pradesh Secretariat, Velagapudi, Guntur.[By Special Messenger]
2. Joint Collector and Addl. District Magistrate, Guntur.
3. Dy. Tahsildar, Civil Supplies, Mangalagiri Guntur. (2, 3 By RPAD)
4. One CC to SRI. M SOLOMON RAJU Advocate [OPUC]
5. Two CCs to GP FOR CIVIL SUPPLIES ,High Court Of Andhra Pradesh. [OUT]
6. One spare copy

HIGH COURT

JS,J

DATED:10/03/2025

LIST THE MATTER AFTER SIX (6) WEEKS.

ORDER

WP.No.6121 of 2025

INTERIM SUSPENSION

