

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

THURSDAY, THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

WRIT PETITION NO: 6957 OF 2025



Between:

Shaik Mastanvali, S/o Nazarvali, Aged about 40 years, Occ: Business, R/o
D.No. 4-109-1, Karempudi Village and Mandal, Palnadu District.

...PETITIONER

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary, Food, Civil Supplies and Consumer Affairs Department, Secretariat, Velagapudi, Amaravati.
2. The Joint Collector and Addl. District Magistrate, Palnadu District.
3. The Civil Supplies Food Inspector, Nuzendla, Palnadu 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent in issuing the impugned notice dt. 28-2-2025 bearing E.C.Act Case No. 24/2025-S4 directing the petitioner to furnish the Bank Guarantee for Rs. 10,15,680/- instead of solvent surety for release of the Lorry bearing Reg.No. AP-39-U-1779 as sought in his petition filed on 18-2-2025, as being illegal, arbitrary, unjust and unconstitutional, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.

IA NO: 1 OF 2025

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 respondent No.2 herein to release the petitioner's Lorry bearing Reg.No. AP-39-U-1779 by accepting the third party surety instead of bank guarantee, pending disposal of the main Writ Petition.

Counsel for the Petitioner: SRI K. JOSEPH

Counsel for the Respondent Nos.1 to 3: GP FOR CIVIL SUPPLIES

The Court made the following: ORDER



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

[3459]

THURSDAY, THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

WRIT PETITION NO: 6957/2025

Between:

Shaik Mastanvali

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.K JOSEPH

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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent in issuing the impugned notice dt. 28-2-2025 bearing E.C.Act Case No. 24/2025-S4 directing the petitioner to furnish the Bank Guarantee for Rs. 10,15,680/- instead of solvent surety for release of the Lorry bearing Reg.No. AP-39-U-1779 as sought in his petition filed on 18-2-2025, as being illegal, arbitrary, unjust and unconstitutional, and to grant such other relief or reliefs."

2. The grievance of the petitioner is that, the petitioner has filed petition on 18.02.2025 to release the seized vehicle lorry bearing No.AP-39-U-1779. The 2nd respondent/Joint Collector has issued an notice vide E.C.Act Case No.24/2025-S4, dated 28.02.2025 directing the petitioner to obtain a Bank Guarantee for an amount of Rs.10,15,680/- to release the seized vehicle.
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 ready to file an application before the 2nd respondent about furnishing third party immovable property security for release of the seized lorry bearing No.AP-39-U-1779.
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 showing the immovable property security, within a period of two (2) weeks 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 one (1) week.

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.

//TRUE COPY//

Sd/- J. SAROJA
ASSISTANT REGISTRAR

tb
SECTION OFFICER

To,

1. The Principal Secretary, Food, Civil Supplies and Consumer Affairs
Department, State of Andhra Pradesh, Secretariat, Velagapudi,
Amaravati.
2. The Joint Collector and Addl. District Magistrate, Palnadu District.
3. The Civil Supplies Food Inspector, Nuzendla, Palnadu District.
4. One CC to Sri K. Joseph, Advocate [OPUC]
5. Two CCs to GP for Civil Supplies, High Court of Andhra Pradesh. [OUT]
6. Three CD Copies.

ssb

HIGH COURT

DATED:20/03/2025

ORDER

WP.No.6957 of 2025



DISPOSING OF THE W.P. WITHOUT COSTS