Date of reserved for orders : ----
Date of pronouncement : 29.06.2026
Date of uploading :

APHC010315932026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3331]
(Special Original Jurisdiction)

MONDAY, THE 29th DAY OF JUNE 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 16910/2026

Between:

1. UYYALA VENKATESH, S/O YEDUKONDALU, AGE 30 YEARS, OCC VEHICLE OWNER, NANDULA COLONY, CHILAKLURIPETAUNNAVA, YEDLAPADU MANDAT, PALNADU DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS SECRETARY CONSUMER AFFAIRS AND CIVIL SUPPLIES DEPARTMENT SECRETARIAT BUILDINGS, VELAGAPUDI AMARAVATHI, GUNTUR DISTRICT
2. THE DISTRICT COLLECTOR, GUNTUR DISTRICT, GUNTUR.
3. THE TAHSILDHAR, O/O TAHSILDHAR, MANGALAGIRI, MANGALAGIRI MANDAL, GUNTUR DISTIRCT
4. THE STATION HOUSE OFFICER, MANGALAGIRI RURAL POLICE STATION, MANGALAGIRI MANDAL, GUNTUR DISTRICT.

...RESPONDENT(S):

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 order or orders, direction or directions. Writ or Writs, more particularly one in the nature of Writ of Mandamus declareing the action of the 4th respondent in seizing the vehicle bearing No. AP 31 TE 4387 along

with 45 number of bags of rice X 50 Kgs equals to2250 kgs in respect of F.I.R. No 126 of 2026 dated on 04.04.2026 on the file of Mangalagiri Rural Police Station, Guntur District is illegal arbitrary and violation of control order 20(a) of Andhra Pradesh targeted public distribution system (Control) order 2018 apart from principles of natural justice and consequently direct the respondent No.4 to release the vehicle bearing No. AP 31 TE 4387 along with 45 number of bags of rice X 50 Kgs equals to 2250 kgs in respect of F.I.R. No 126 of 2026 dated 04.04.2026 on the file of Mangalagiri Rural Police Station, Guntur District and pass

IA NO: 1 OF 2026

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.4 to release the vehicle bearing No. AP 31 •*- TE 4387 along with 45 number of bags of rice X 50 Kgs = 2250 kgs in respect of F.I.R. No 126 of 2026 dated on 04.04.2026 on the file of Mangalagiri Rural Police Station, Guntur District pending disposal main Writ Petition and pass

Counsel for the Petitioner:

1. TATA SINGAIAH GOUD

Counsel for the Respondent(S):

1. GP FOR HOME
2. GP FOR CIVIL SUPPLIES

The Court made the following:

::ORDER ::

Heard Sri Tata Singaiah Goud, learned counsel for the petitioner, Sri Vineeeth Appasani, learned Assistant Government Pleader for Civil Supplies, appeared for the respondents 1 to 3 and Sri Mallikharjuna Moorthy, learned Assistant Government Pleader for Home, appeared for respondent No.4.

2. The petitioner is the absolute owner of vehicle i.e. Ashok Leyland Goods Carriage- LMV bearing No.AP31 TE 4387. On 04.04.2026, at about 03.00 am, the Head Constable of respondent No.4 stopped the

aforementioned vehicle and asked the driver to furnish the relevant papers regarding the stock being carried out in the vehicle. Since the driver failed to produce the relevant documents, the Head Constable of Mangalagiri Rural PS seized the vehicle along with the stock under the cover of police proceedings dated 04.04.2026. Thereafter, a case in Cr.No.126 of 2025 for the offences punishable under Sections 318 (4) r/w 3(5) of BNS, Section 7 of the Essential Commodities Act, of Mangalagiri Rural Police Station, was registered.

3. Learned counsel for the petitioner would submit that the petitioner made an application before the learned Addl. Judicial Magistrate for First Class-cum-Civil Judge (Junior Division) Court, Mangalagiri, seeking to release the vehicle with stock. However, the same was returned. He would also submit that the Head Constable of Mangalagiri Rural PS has no jurisdiction to seize the vehicle and placed reliance upon the order in W.P.No.31866 of 2022, dated 30.09.2022.

4. Sri Vineeeth Appasani, learned Assistant Government Pleader for Civil Supplies, submitted the written instructions of the Tahsildar, Mangalagiri Mandal. As seen from the written instructions, it was noted that respondent No.3 returned the letter along with its enclosures to take necessary action, since there is no power to the Head Constable of Mangalagiri Police Station to seize the vehicle under Clause 20(a) of the Andhra Pradesh Targetted Public Distribution System (Control) Order, 2018 (hereinafter referred to as 'the Order, 2018').

5. A learned Single Judge of this Court in W.P.No.31866 of 2022, considered the identical issue. In that case, the Assistant Sub-Inspector of Police, Pamulapadu Village, Kurnool District, seized the vehicle and stock therein. The learned Single Judge of this Court, relying upon the judgment of **Sri Vigneswara Traders, Komerapudi Village v. Circle Inspector of Police, Porumamilla Police Station, Y.S.R. Kadapa**[1]**,** declared that the police

[1] 2013 (4) ALD 241

proceedings, search and seizure of essential commodities and the vehicle by the incompetent officers were illegal, as it is without any authority of law.

6. Given the facts and circumstances of the case, keeping the writ petition pending and inviting a counter-affidavit will not serve any purpose. Hence, the Writ Petition is disposed of at the stage of admission with the consent of both the learned counsel appearing on either side, with the following directions:

(i) The police proceedings dated 04.04.2026 are hereby set aside, since the Head Constable of Mangalagiri Rural PS has no jurisdiction to seize the vehicle and stock.

(ii) Respondent No.4 shall release the vehicle i.e. Ashok Leyland Goods Carriage- LMV bearing No.AP31 TE 4387 along with stock to the petitioner, forthwith.

No order as to costs.

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

JUSTICE SUBBA REDDY SATTI

Date: 29.06.2026
TVN

Whether the order is :
Speaking Yes/No / Reasoned **Yes**/No
Reportable Yes/No / Non-Reportable **Yes**/No

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THE HON'BLE SRI JUSTICE SUBBA REDDY SATTI

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