



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

[3332]

THURSDAY, THE SEVENTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 13205/2026

Between:

- 1.M/S. SRI SAI SAHASRA TRADERS,, D.NO. 4-9-326, RAMACHANDRAPURAM, NAWABPET, NELLORE -2, REP BY ITS PROPRIETOR POTHINENI LAKSHMAIAH NAIDU,
- 2.MALGOTI PRAVEEN KUMAR REDDY,, S/O. RAMAKRISHNA REDDY, AGED 39 YEARS. OWNER OF THE LORRY BEARING NOS.AP 35 Y 5598, R/O. 1-144, EAST STREET, VATAMBEDU, TADAMANDAL, SPSR NELLORE DISTRICT.

...PETITIONER(S)

AND

- 1.THE STATE OF A P, REP. BY ITS SECRETARY, FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT.
- 2.THE COLLECTOR CS, SPS NELLORE. SPS NELLORE DISTRICT.
- 3.THE CIVIL SUPPLIES DEPUTY TAHSILDAR, VENKATACHALAM, SPS NELLORE 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, direction or writ, more particularly one

in the nature of writ of Mandamus declaring the action of 3rd respondent in seizing 274 Qtls of raw rice belongs to the 1st petitioner along with lorry bearing Nos.AP35 Y 5598 belongs to the 2nd petitioner on 30.01.2026 on NH-16 near Golagamudi Arch, Venkatachalam Mandal, SPS Nellore District and under cover of panchanama dt.31.01.2026 and further order passed by the 2nd respondent in Rc.B2.85/2026, dt.29.04.2026 directing to sell the seized stock through public auction and ordering to release the seized lorry bearing No. AP 35 Y 5598 to the 2nd petitioner on his producing Bank F.D.R for an amount of Rs.3,50,000/- as illegal, arbitrary and violative of the provisions of the Essential Commodities Act, 1955 and the orders made there under and consequently set aside the order Rc.B2.85/2026, dt.29.04.2026 passed by the 2nd respondent and direct the respondents to release 274 Qtls of raw rice to the 1st petitioner and the lorry to the 2nd petitioner and not to take any action in pursuance of the illegal seizure and to pass

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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 274 Qtls of raw rice to the 1st petitioner and the lorry bearing No. AP 35 Y 5598 to the 2nd petitioner by suspending the order in Rc.B2.85/2026, dt.29.04.2026 passed by 2nd respondent, pending disposal of writ petition and pass

Counsel for the Petitioner(S):

1.V SUDHAKAR REDDY

Counsel for the Respondent(S):

1.GP FOR CIVIL SUPPLIES

The Court made the following:

ORDER:

Aggrieved by the action of the 3rd respondent in seizing 274 Qtls of raw rice belonging to the 1st petitioner along with lorry bearing No.AP 35 Y 5598 belonging to the 2nd petitioner on 30.01.2026 on NH-16 near Golagamudi Arch, Venkatachalam Mandal, SPSR Nellore District, under the cover of Panchanama dated 31.01.2026 and further the 2nd respondent, passing order *vide* Rc.B2.85/2026 dated 29.04.2026 directing to sell the seized stock through public auction and ordering to release the seized lorry bearing No.AP 35 Y 5598 to the 2nd petitioner on his producing Bank F.D.R for an amount of Rs.3,50,000/-, the present Writ Petition is filed.

2. Heard Sri V.Sudhakar Reddy, learned counsel for the petitioners and Sri Vineeth Appasani, learned Assistant Government Pleader for Civil Supplies for the respondents.

3. Learned counsel for the petitioners submitted that the petitioners have filed a petition before the 2nd respondent to release the seized vehicle and stock and the 2nd respondent passed order dated 29.04.2026 directing to sell the stock through public auction and release the vehicle upon furnishing bank guarantee. He further submitted that if the auction is conducted in such manner, it affects the rights of the petitioners, accordingly, prayed to pass appropriate orders protecting the interest of the petitioners.

4. On the other hand, learned Assistant Government Pleader for Civil Supplies submitted that in similar circumstances this Court in W.P.No.4165 of 2023 has dealt with the issue and the said judgment is applicable to the facts on hand, accordingly, prayed to dispose of this writ petition in similar lines.

5. Having heard the respective counsel and upon perusal of the material available on record, it is an admitted fact that subsequent to the seizure of the rice and vehicle, proceedings under Section 6A are initiated before the 2nd respondent, who is the competent authority. The illegality and validity of the seizure has to be decided by the 2nd respondent in 6-A proceedings. This Court is not inclined to interfere into the 6-A proceedings.

6. However, considering the facts and circumstances of the case, the judgement relied by the learned Assistant Government Pleader for Civil Supplies and in the light of the latest order passed by a Division Bench of this Court in ***Onteru Bhaskar vs. State of Andhra Pradesh, represented by its Principal Secretary, Civil Supplies Department and others***¹, in the considered opinion of this Court, it is appropriate and reasonable to direct the 2nd respondent to release the seized stock in favour of the 1st petitioner on imposing certain conditions and dispose of the writ petition by passing the following order:

¹ 2022 SCC Online AP 348

“The respondent concerned is directed to conclude the 6-A proceedings within a period of one (01) month from the date of receipt of a copy of this order. If the respondents failed to conclude the proceedings, they are further directed to release the seized stock to the petitioner on furnishing the 3rd party immovable property security to the value of the seized stock.

The respondent concerned is further directed to release the Lorry bearing No. AP 35 Y 5598 in favour of the 2nd petitioner upon furnishing personal or third party immovable property security equivalent to the value of the seized vehicles instead of bank F.D.R, within a period of two (02) weeks from the date of receipt of a copy of this order.”

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

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

JUSTICE RAVI CHEEMALAPATI

Date: 07th May, 2026

Note: Issue C.C. by 08.05.2026

B/o

RKS