

(2005) 08 MAD CK 0161

Madras High Court

Case No: Writ Appeal No. 1347 of 2005 and Writ Petition No. 18732 of 2005

City Bulk Carriers

APPELLANT

Vs

The Commissioner, Civil Supplies
Corporation, The Deputy
Commissioner, Civil Supplies
Corporation, North Zone, The
Assistant Commissioner of
Police, CSCID and
Manager-Terminal, Indian Oil
Corporation Ltd.

RESPONDENT

Date of Decision: Aug. 11, 2005

Acts Referred:

- Essential Commodities Act, 1955 - Section 6A, 6B, 6C

Hon'ble Judges: Markandey Katju, C.J; F.M. Ibrahim Kalifulla, J

Bench: Division Bench

Advocate: K. Chandrasekarn, for the Appellant; V. Raghupathy, Government Pleader and
V. Ananthanatarajan, for R4, for the Respondent

Judgement

Markandey Katju, C.J.

This writ appeal has been filed against the interlocutory order dated 13-6-2005 passed by the learned single Judge by which the Appellant's prayer for release of her vehicle was rejected on the ground that that would tantamount to grant of main relief itself. With consent of both parties, the main writ petition itself was directed to be tagged along with the writ appeal for final hearing.

2. Heard the learned Counsel for both parties.

3. We see no reason to interfere with the impugned interlocutory order passed by the learned single Judge. However, in the facts and circumstances of the case, we direct that the confiscation proceedings u/s 6A read with Section 6B of the Essential Commodities Act be completed expeditiously, preferably within a period of three

weeks from the date of production of copy of this order. If the authority concerned rejects the prayer of the Appellant for release of the vehicle in question, the Appellant has a remedy of appeal u/s 6C of the Essential Commodities Act. Thus the Appellant has in fact two alternative remedies under the statute itself.

4. The appeal is dismissed and the writ petition is disposed off with the above direction. Connected WAMP No. 2475 of 2005 is closed.