

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 21844 of 2015

DATED 15th July, 2015

BETWEEN

C.Jaipal Reddy

...Petitioner

And

State of Telangana,
Rep. by its Ex-Officio Secretary-cum-
Commissioner of Civil Supplies, consumer Affairs,
Food and Civil Supplies Department, Secretariat,
Hyderabad and ors.

...Respondents.

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WRIT PETITION No. 21844 of 2015.

ORDER:

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Heard learned Counsel for the petitioner and learned Government Pleader for the respondents.

The petitioner is the owner of the lorry bearing registration AP.20V 5129. The Vigilance and Enforcement authorities intercepted the said lorry on 20.6.2015 on the ground that the driver of the said lorry is transporting PDS rice without valid documents and thereby 6-A proceedings were initiated and seized the lorry along with 344 bags of rice equivalent to 191.10 quintals under the cover of panchanama dated 21.6.2015. The petitioner filed an application before the second

respondent on 26.6.2015 for release of the vehicle. When no orders are passed on the said application, the petitioner approached this Court.

The learned Government Pleader submits that 6-A proceedings are pending consideration before the second respondent.

Continued detention and seizure of the vehicle does not advance any purpose or interest of the respondents. On the other hand it would expose to theft of parts and damage. The interest of the respondents can be protected by directing that the vehicle of the petitioner be released subject to certain conditions. In the circumstances, the second respondent is directed to release the lorry bearing registration No. AP.20V 5129 in favour of the petitioner on condition of the petitioner furnishing bank guarantee for Rs.2,50,000/- within fifteen days from the date of receipt of a copy of this order. Further, the petitioner shall file an undertaking before the second respondent stating that he shall not alienate or encumber the said lorry till the conclusion of 6-A proceedings and the same shall be produced in the 6-A proceedings as and when directed by the second respondent.

The Writ Petition is accordingly disposed of. Miscellaneous petitions pending consideration if any shall stand closed in consequence. No order as to costs.

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JUSTICE A.RAMALINGESWARA RAO

Dated 15th July, 2015.
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