

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WEDNESDAY THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 29156 OF 2015

-

Between:

Meela Yadagiri ... Petitioner

Vs.

The State of Telangana

Represented by its Prl.Secretary,

Prohibition & Excise Department,

Secretariat, Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: Sri Suresh Kumar Potturi

Counsel for the Respondents: GP for Prohibition & Excise [TG]

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION NO. 29156 OF 2015

-

ORDER :

-

-

This writ petition is filed under Article 226 of the Constitution of India for the following relief :

“To declare the action of the respondents in seizing the black jaggery of 30 gunny bags each carries 50 Kgs by registering Cr.No.

443/2015-16 dated 25/08/2015 though merely possessing black jaggery is not an offence, as illegal, arbitrary and violation of Article 14 and 21 of the Constitution of India and consequently to direct the respondents to release the property of black jaggery 30 gunny bags each carries 50Kgs seized in Cr.No.443/2015-16 dated 25/8/2015 in favour of petitioner pending criminal case and to pass such other suitable order as this court may deems fit and proper in the circumstances of the case.”

2. Heard Sri Suresh Kumar Potturi, learned counsel for the petitioner and the learned Government Pleader for Prohibition and Excise for the respondents 1 to 4.

3. When the matter is called, it is represented by the learned counsel for the petitioner herein that the petitioner herein submitted petition under section 451 Cr.P.C. before the Deputy Commissioner of Prohibition and Excise, Nalgonda, second respondent seeking return of the seized 30 bags of black jaggery weighing about 1500 Kgs and alum weighing 30 Kgs in one bag in his favour. The learned counsel for the petitioner requested this court to pass appropriate orders directing the second respondent to consider the petition filed by the petitioner in accordance with law within stipulated time.

4. In view of the above submission, this writ petition is disposed of directing the second respondent-Deputy Commissioner of Prohibition and Excise, Nalgonda Division, to pass appropriate orders on the petition under section 451 of Cr.P.C. dated 10/09/2015 filed by the petitioner herein in COR.No. 443 of 2015-16 of P.S.Nalgonda, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. There shall be no order as to costs.

.

6. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

23/09/2015

I s L

HONOURABLE SRI JUSTICE A.V. SETHA SAI

-

-
-
-
-
-
-
-
-
-
-

—

—

—

—

—

—

—

—

WRIT PETITION NO. 29156 OF 2015

—

—

—

—

—

—

—

—

—

—

—

—

—

—

Date:23/09/2015

Circulation No.

Court Master: I s L