

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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W.P. NO. 379 of 2015

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Date of Judgment: 27.1.2015

Between:

Morisetty Ananda Rao

...Petitioner

And

The State of Andhra Pradesh and others

..Respondents

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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W.P. NO. 379 of 2015

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ORDER:

Heard learned counsel for the parties

The petitioner who claims to be the owner of lorry bearing No. AP 16 TX 6797, states that though a criminal case in Cr.No. 655 of 2013 of PS Nallapadu PS under Section 420 IPC and Sec 7 of Essential Commodities Act, 1955, on completion of investigation, a charge sheet was filed in the Court of Special Mobile Magistrate, Guntur stating that the petitioner was not involved in the

commission of offence, hence his name was deleted from the array of the accused. In view of that, the petitioner sought release of the said lorry and applied to the respondent No.2-Joint Collector, Guntur on 22.12.2014, however, alleging no action on the said application, the present writ petition is filed.

Learned Government Pleader for Civil Supplies states that the respondent No.2 will take expeditious steps to dispose of the application of the petitioner in accordance with law.

I find from the charge sheet that while the petitioner is described as defacto owner of the lorry, L.W.5 Vilasakavi Ramesh s/o Ramaraju is stated to be the present owner of the said vehicle. Therefore, it is appropriate for the respondent No.2 to hear the petitioner as well as L.W.5-Vilasakavi Ramesh after issuing notice, take into consideration the contents of charge sheet, as the involvement of the petitioner was negated in the said charge sheet and pass appropriate orders on the application of the petitioner within four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. Miscellaneous applications, if any, shall stand closed. No order as to costs.

Dt. 27.1.2015
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VILAS V. AFZULPURKAR, J