

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

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WRIT PETITION No.22637 OF 2015

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Between:

J.Sankaraiah

.. Petitioner

And

The State of Telangana,
Rep. by its Ex-officio Secretary-cum-Commissioner of Civil Supplies,
Consumer Affairs, Food and Civil Supplies Department, Secretariat,
Hyderabad and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 22-07-2015

SUBMITTED FOR APPROVAL:

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

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|---|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.22637 of 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies. The Writ Petition is being disposed of at the stage of admission with the consent of parties.

The petitioner is the owner of lorry bearing registration No. AP 03 V 6931 and is using the said vehicle for loading and unloading of goods on hire basis. When the goods are being transported on 20.06.2015, the Vigilance and Enforcement Authorities intercepted the vehicle of the petitioner, seized the stock on the ground that he was transporting PDS rice and also seized the lorry. The petitioner states that he filed a representation before the second respondent on 26.06.2015 for release of the subject vehicle on furnishing bank guarantee to the cost mentioned in the panchanama, but the second respondent did not pass any order. The present Writ Petition is filed for release of the vehicle on the ground that the petitioner is the owner of the vehicle and his business is being affected by continuing the custody of the vehicle.

In the above facts and circumstances of the case, this Court deems it fit to direct the second respondent to release the lorry bearing registration No. AP 03 V 6931 on condition of the petitioner furnishing bank guarantee for a sum of Rs.2,25,000/- (Rupees Two Lakhs Twenty Five Thousand Only) to the satisfaction of the second respondent within a period of two weeks from the date of receipt of a copy of this order, pending 6A proceedings, and the petitioner shall file an undertaking that he will not transfer the vehicle and produce the same as and when required by the second respondent. It is needless to mention that the bank guarantee furnished would be subject to further orders passed by the second respondent, in the pending 6A proceedings.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

A. RAMALINGESWARA RAO,J

Date:22.07.2015

Note:CC by 24.07.2015

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