

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

* * * *

WRIT PETITION No.30385 OF 2015

Between:

V.Madhu Kumar.

.. Petitioner

And

The State of Telangana,
Rep. by its Principal Secretary, Civil Supplies Department,
Secretariat, Hyderabad and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 18-09-2015

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.30385 of 2015

ORDER:

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

Petitioner is the owner of lorry bearing No.AP 05Y 4389. The said vehicle was seized on the ground that 16 qtls. of rice meant for public distribution was loaded in excess at MLS point. Based on the report of the third respondent, 6A proceedings were initiated before the second respondent in respect of the seized stock. The petitioner sought release of the vehicle by his petition dated 09.09.2015 and the second respondent granted interim release of the vehicle on furnishing bank guarantee for Rs.4,50,000/-. Hence the Writ Petition.

A perusal of the order indicates that the date of registration of vehicle was not taken into consideration while passing the order. The lorry is of the year 2003.

In the circumstances, this Court feels that this is a fit case to direct release of lorry bearing No.AP 05Y 4389, on the petitioner furnishing bank guarantee for a sum of Rs.2,00,000/- (Rupees Two Lakhs Only), 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 Joint Collector. It is needless to mention that the bank guarantee furnished would be subject to further orders passed by the Joint Collector, Khammam, 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:18.09.2015
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