

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 28756 OF 2015

ORDER:

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

The petitioner is the registered owner of goods vehicle bearing Registration No. AP 21 TU 5727. On 2.7.2015 while he was transporting the rice meant for Public Distribution System from Khanapuram to Varsavai, the third respondent intercepted the said vehicle and seized the goods along with the vehicle. Thereafter 6-A proceedings have been initiated and the same are pending consideration before the second respondent. The petitioner filed a petition before the second respondent seeking release of the said vehicle. When no orders have been passed on the application of the petitioner for release of the said vehicle, the present Writ Petition is filed.

Trite to state, 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 vehicle bearing registration No. AP 21 TU 5727 in favour of the petitioner on condition of the his furnishing bank guarantee for Rs.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 vehicle 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.

JUSTICE A. RAMALINGESWARA RAO

DATED 7th September, 2015.
Msnr_x