

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.33470 of 2015

ORDER:

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

“to issue writ of Mandamus to declare the action of the respondents in seizing petitioner's lorry bearing No.AP-16-TW-6778 is illegal, arbitrary and unconstitutional.”

Heard Sri M.P.V.N.V. Sastry, learned counsel for the petitioner and learned Government Pleaders for Prohibition and Excise and Home for respondents, apart from perusing the material available before this Court.

When the matter is called, it is submitted by learned counsel for the petitioner that the petitioner herein will make necessary application as per Rules before the Deputy Commissioner of Prohibition and Excise – 5th respondent herein for release of the subject vehicle and appropriate directions may be issued to the respondent authorities to take action, in accordance with law.

In view of the above submissions, the writ petition stands disposed of, keeping it open for the petitioner herein to make an application before the Deputy Commissioner of Prohibition and Excise, Eluru, West Godavari District – 5th respondent herein for release of vehicle (lorry) bearing No.AP-16-TW-6778 within a period of one week from the date of receipt of a copy of this order. If any such application is made the same shall be considered and appropriate orders be passed, in accordance with law, within a period of two (2) weeks thereafter.

Miscellaneous Petitions pending, if any, shall stand closed. There shall be no order as to costs.

A.V. SESA SAI, J

October 12, 2015

Note: Furnish C.C. in

three (3) days. B/o.Pn

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