

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

MONDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.2207 of 2015

BETWEEN

E.Nageswar Rao

... PETITIONER

AND

The State of Telangana, Rep. by its Principal Secretary, Prohibition & Excise
Department, Secretariat, Hyderabad and others.

...RESPONDENTS

The Court made the following:

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ORDER:

Heard.

2. Petitioner's grievance is that the lorry bearing No.AP 24W 4546 was seized alleging that it was found involved in Crime No.365 of 2014, dated 18.11.2014 and the said vehicle is held in the custody of respondent No.3. Petitioner states that he has approached the Judicial Magistrate of First Class, Suryapet, and filed an application for interim relief vide CrI.M.P.No.2971 of 2014. However, by order, dated 01.12.2014, the said application was returned in view of provisions of Section 46(e) of the A.P.Excise Act. Petitioner, therefore, seeks liberty to approach respondent

No.2 seeking release of the vehicle.

3. Though the writ petition is filed questioning the seizure of the vehicle, in view of the request made by the learned counsel for the petitioner, the writ petition is disposed of permitting the petitioner to make appropriate application before respondent No.2. As and when petitioner's application for interim relief is received by respondent No.2, he shall consider the same and pass appropriate orders thereon expeditiously, in any case, within two weeks from the date of receipt of a copy of the application.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

February 5, 2015
LMV