

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

WEDNESDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No. 1231 of 2015

BETWEEN

Ekambar Rao Kodali

... PETITIONER

AND

The State of Telangana, Rep. by its Principal Secretary and others.

...RESPONDENTS

The Court made the following:

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ORDER:

Heard.

2. Petitioner questions seizure of his vehicle bearing No.UP 16F 1360 under Check Report No.216747 dated 20.01.2015. Petitioner states during the course of his employment, he has moved from State to State and had brought the aforesaid vehicle to Hyderabad, thereafter it was checked and seized.

3. The allegations in the check report, however, are subject matter of enquiry and appropriate further orders are required to be passed after completing the enquiry and giving opportunity to the petitioner. At this stage, therefore, the correctness or otherwise of the check report and seizure of the vehicle cannot be gone into.

4. Hence, the petitioner is at liberty to approach respondent No.2 seeking release of the vehicle and if such an appropriate application is made, respondent No.2 is directed to act on the said application and pass appropriate orders not later than three days from the date of receipt of application. Respondent No.2 shall also keep in mind that the enquiry is required to be conducted with regard to the deficiencies pointed out. However, for the present, by imposing appropriate conditions, the vehicle is required to be released as it was seized on 20.01.2015 as no purpose is served by retaining the vehicle. Respondent No.2 is at liberty to collect the admitted tax and compounding fee, conduct an appropriate enquiry and pass appropriate orders and impose such further conditions as he deems appropriate.

Writ petition is, accordingly, disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

January 28, 2015

Note: - Furnish copy by 29.01.2015 {B/o} LMV