

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 10719 of 2016

DATED 01ST APRIL, 2016

BETWEEN

V.Venkanna and anr

....Petitioners

And

The State of Telangana,
Rep. by its Principal Secretary,
Transport Department, Secretariat, Hyderabad and ors.

....Respondents.

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 10719 of 2016

ORDER:

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

The petitioners are the registered owners of goods vehicle bearing Registration Nos.TS.02.UA.0089 and TS.08.UB.4526. while so, when the petitioners are transporting the commercial cylinders, the third respondent intercepted the said vehicles and seized the goods along with vehicles under Panchanama on 15.03.2016. Thereafter 6-A proceedings have been initiated and the same are pending consideration before the second respondent. The petitioners filed petitions before the second respondent seeking release of the said vehicle. When

no orders have been passed on the applications of the petitioners for release of the said vehicles, 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 vehicles of the petitioners be released subject to certain conditions. In the circumstances, the second respondent is directed to release the vehicles bearing registration No. TS.02.UA.0089 and TS.08.UB.4526 in favour of the petitioners on condition of furnishing bank guarantee for Rs.3,19,818/- within fifteen days from the date of receipt of a copy of this order. Further, the petitioners shall file an undertaking before the second respondent stating that they shall not alienate or encumber the said vehicles or create any third party interest over the said vehicles 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 CHALLA KODANDA RAM

DATED 1ST APRIL, 2016.
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