

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.39706 of 2016

Date: 18.11.2016

Between:

Choppari Mallaiah S/o Ilaiah, Aged 45 years,
Occu: Agriculture, r/o. H.No.3-40, Keshavapur
Village, Husnabad Mandal, Siddipet District,
Telangana State.

.....Petitioner

and

The State of Telangana, rep.by Principal
Secretary, Revenue (Excise) Department,
Secretariat Buildings, Hyderabad and others.

.....Respondents



The Court made the following:

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ORDER:

Alleging that petitioner's vehicle seized as a consequence to the registering of Crime in COR No.599 of 2016 on the file of Prohibition and Excise Police Station, Manthani, on 06.10.2016, is not released, this writ petition is filed.

2. Apparently no petition is filed before the competent authority praying to release the vehicle. The petitioner made vague averment to say that in spite of filing application to release the vehicle, the 2nd respondent refused to receive the application. No material is placed on record to show that such endeavour is made by the petitioner, but respondent authority refused to receive the same. Without availing such remedy, petitioner cannot directly invoke jurisdiction of this Court and seek for release of vehicle. Writ Petition is dismissed, granting liberty to the petitioner to file an application before the Deputy Commissioner, Prohibition and Excise Station, Karimnagar for grant of interim custody of the vehicle pending confiscation proceedings. It is needless to observe that as and when such application is filed, the same shall be considered by the competent authority objectively and pass orders as per the procedure envisaged.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. No costs.

JUSTICE P.NAVEEN RAO

Date: 18.11.2016
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