

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.14373 OF 2017

ORDER:

The petitioner seeks a mandamus declaring the action of respondent No.3, in seizing his vehicle i.e. Maruthi Eeco bearing Reg.No.AP11-AS-2747 Engine No.G12BN286530, along with 360 Kgs of white jaggery, as being illegal and arbitrary.

Petitioner states that, during the course of business, he purchased 360 Kgs. of white jaggery and, while transporting the said stock in his vehicle, i.e. Maruthi Eeco bearing Reg.No.AP11-AS-2747, respondent No.3 seized the stock as well as vehicle and registered a case in FIR.No.75 of 2017. The petitioner, therefore, seeks release of vehicle as well as stock.

Heard the learned counsel for the petitioner and the learned Government Pleader for Prohibition and Excise (TG).

Having considered the submissions made on either side, the Writ Petition is disposed of with a direction to respondent No.2 to release the seized vehicle subject to the petitioner furnishing a Fixed Deposit Receipt for a sum of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand Only) in his favour; and, in so far as white jaggery is concerned, the seized stock shall be released in favour of the petitioner on his furnishing a personal bond for the value of stock. It is, however, made clear that release of the vehicle as well as

stock shall be subject to the final orders that may be passed by respondent No.2 in the proceedings under the Excise Act.

Miscellaneous Petitions pending, if any, in this writ petition shall stand closed. No order as to costs.

CHALLA KODANDA RAM,J

Date:21.04.2017.
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