

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE DR JUSTICE SHAMEEM AKTHER

Writ Appeal No.100 of 2017

JUDGMENT: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

This appeal, under Clause 15 of the Letters Patent, is preferred against the interlocutory order passed by the Learned Single Judge in W.P.M.P.No.57503 of 2016 in W.P.No.46683 of 2016 dated 02.01.2017. The interim relief sought for in W.P.M.P.No.46683 of 2016 was to direct the respondents to forthwith release two Four Wheeler Vehicles, and six Looms, pending disposal of the writ petition.

By the order under appeal, the Learned Single Judge directed the appellant-writ petitioner to file an application before the 3rd respondent for release of the two Vehicles and six Looms; and, after submission of such application and filing of proof of ownership, the 3rd respondent was directed to consider the same and pass appropriate orders, as expeditiously as possible, preferably within a period of two weeks. The Learned Single Judge directed that any such decision shall abide by the result of the writ petition.

While Sri Vedula Venkata Ramana, learned Senior Counsel appearing on behalf of the appellant-writ petitioner, would question the very jurisdiction of the respondent-authorities in sealing the premises, the fact remains that the interim relief sought for in the writ petition was only to direct the respondents to hand over both the Cars and six Looms to the appellant-writ petitioner.

Learned Government Pleader, appearing on behalf of the learned Advocate General, would submit that the respondents are ready and willing to handover both the Four Wheeler Vehicles and six Looms to the appellant under due acknowledgment.

In view of the submission now made by the learned Government Pleader, we consider it appropriate to direct the respondents herein to

hand over both the Four Wheeler Vehicles and six Looms to the appellant, on their furnishing proof of ownership and under due acknowledgment, within three day from today.

The Writ Appeal stands disposed of accordingly. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(DR. SHAMEEM AKTHER, J)

23rd January, 2017

Note: Issue C.C. tomorrow.

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Date: 23.01.2017

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