

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.42884 OF 2017

ORDER

The case of the petitioner is that his vehicle – Mahindra trolley auto bearing Reg.No.AP-37 TE – 9262 was seized by the 3rd respondent – Sub Inspector of Police, Polancha Town Police Station, in Crime No.337 of 2017, alleging illegal transportation of PDS rice. He approached the 2nd Additional Judicial First Class Magistrate for return of vehicle. The said court returned the application of the petitioner stating that it has no jurisdiction. The further case of the petitioner is that when he approached the 2nd respondent – Joint Collector, it was informed that no case is pending before him. Seeking direction for release of vehicle seized by 3rd respondent, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Civil Supplies.

It is be seen that when the 3rd respondent seized the vehicle for the alleged violation of Essential Commodities Act, it forms his legal obligation to produce the vehicle before the 2nd respondent – Joint Collector. It is not known by the vehicle is not produced before the said authority.

In view of the above circumstances, the 3rd respondent is directed to produce the Mahindra Trolley auto bearing Reg.No.AP – 37TE-9262 said to have been seized by him in Crime No.337 of 2017 of Palancho Town Police Station, before the 2nd respondent forthwith. It is open for the petitioner to make an application before the 2nd respondent for release of vehicle. On

such application being filed, the 2nd respondent shall entertain the same and pass appropriate orders in accordance with law within a period of two weeks from the date of receipt of such application.

With the above direction, the writ petition is disposed of. Miscellaneous petitions pending if any, shall stand closed. No order as to costs.

A.RAJASHEKER REDDY,J

DATE:18—12—2017

avs

Note:

C.C. in two days.
B/O

