

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.43063 OF 2017

ORDER

The case of the petitioner, as per the averments made in the writ affidavit, is that he is the owner of vehicle vide Eicher Van bearing A.P. – 36 – TA – 9149 and the said vehicle was seized by the 2nd respondent – Station House Officer, Police Station, Mulakapally, Bhadradri Kothagudem District in connection with Crime No.171/2017, for the offences under Sections 420 and 34 IPC and Sections 7 and 8 of Essential Commodities Act, 1955. When he approached the I Additional Judicial I Class Magistrate, at Kothagudem, for release of vehicle, the said court returned his application stating that it has no jurisdiction. Aggrieved by the action of the 2nd respondent in seizing the vehicle of the petitioner, the present writ petition is filed.

Heard the learned counsel for the petitioner.

The learned Assistant Government Pleader for Civil Supplies submits that in respect of confiscation of vehicles, the petitioner has to approach the Joint Collector for release of vehicle, as he is the competent authority under Section 6-A of the Essential Commodities Act, 1955.

In view of the facts and circumstances of the case and the submissions of the learned counsel, petitioner is given liberty to approach the Joint Collector concerned, for release of vehicle. On such application being filed, the Joint Collector is directed to consider 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 costs.

A.RAJASHEKER REDDY,J

DATE:19—12—2017

Note:Office shall mark a copy of this order to Joint Collector having having jurisdiction.

B/o (AVS)