

HON' BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION Nos.5432 and 5433 of 2018

COMMON ORDER:

These Writ Petitions are filed under Article 226 of the Constitution of India, seeking the following reliefs:

W.P.No.5432 of 2018:

“.....to issue a writ order, or direction more particularly one in the nature of writ Mandamus declaring the action of the respondent No.2&3 in not releasing the vehicle, Tata Indica bearing No.TS07UA2340 as interim custody to the petitioner as being illegal, arbitrary and contrary to law apart from violation of principles of natural justice besides violation of articles 14, 21 & 300-A of the Constitution of India and consequently direct the respondent Nos.2 & 3 to forthwith release the petitioner vehicle Tata Indica bearing No.TS07UA2340 in favour of the petitioner and pass such”

W.P.No.5433 of 2018:

“.....to issue a writ order, or direction more particularly one in the nature of writ Mandamus declaring the action of the respondent No.2&3 in not releasing the vehicle Eachar DCM Goods Carriage bearing No.AP 04 TY 0686 as interim custody to the petitioner as being illegal, arbitrary and contrary to law apart from violation of principles of natural justice besides violation of articles 14, 21 & 300-A of the Constitution of India and consequently direct the respondent No.2 & 3 forthwith release the petitioner vehicle, Eachar DCM Goods Carriage bearing No.AP 04 TY 0686 in favour of the petitioner and pass such”

2. Heard learned counsel for the petitioners and learned Government Pleader for Excise appearing for the respondents and perused the prayers in the writ petitions with supporting affidavits and other material on record.

3. In view of the enabling statutory provision to approach the Deputy Commissioner concerned, there is nothing to entertain the writ petitions and keep them pending with any interim direction, but for, to dispose of the same.

4. Having regard to the above, these Writ Petitions are disposed of directing the Deputy Commissioner-3rd respondent herein, to dispose of the pending applications of the petitioners, within a period of three weeks from the date of receipt of copy of this order.

5. Miscellaneous petitions pending, if any, shall stand closed.

No costs.

Dr. B. SIVA SANKARA RAO, J

Date: 20.02.2018

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