

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.28658 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

“.... to issue an appropriate Writ, Order of Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent in not passing order directing the 3rd respondent herein to release the petitioner's TVS XL Moped bearing Regn.No.TS-03-EH-6036 seized in Cr.No.202 of 2018, inspite of expressing his readiness to furnish the third party surety, as being illegal, arbitrary and unjust and consequently direct the 2nd respondent to issue necessary orders for release the above said vehicle to the petitioner, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.”

At the hearing, learned Counsel for the petitioner would submit that in view of the similarity of the facts, this Writ Petition may be disposed of in terms of the interim Order, dated 07.11.2017, in W.P.M.P.No.46275 of 2017 in W.P.No.37246 of 2017.

Learned Government Pleader appearing for the respondents endorses the said submission.

Accordingly, there shall be a direction to the 2nd respondent to release the petitioner's vehicle viz., TVS XL Moped bearing Regn.No.TS-03-EH-6036, subject to condition of the petitioner

deposing Rs.5,000/- (Rupees five thousand only) in favour of the 2nd respondent by way of a Fixed Deposit Receipt aforestated shall be subject to the final orders in the proceedings initiated in Cr.No.202 of 2018 on the file of the S.H.O., Maripeda P.S., Mahabubabad District.

The Writ Petition is disposed of accordingly. Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed. There shall be no order as to costs.

Date :13.08.2018
Smr

JUSTICE A.V.SESHA SAI

