

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.3204 of 2019

ORDER

This writ petition is filed seeking to declare the action of the 2nd respondent in not passing the order directing the 3rd respondent to release the seized vehicle i.e., TATA ACE vehicle bearing Reg. No.AP-24-Y-4642 in C.O.R.No.221 of 2018, in spite of readiness of the petitioner to furnish the third party surety, as illegal and arbitrary.

2. The vehicle of the petitioner was seized on the ground that he was transporting black jaggery in violation of the conditions. The particulars of property seized are mentioned in Col.No.10 of the crime and occurrence report. They are, 5 lits of ID liquor in a plastic can, 5 bags of black jaggery (each 50 kgs) and 3 Kgs of alum in a bag.

3. In view of large quantity of the contraband seized and as there is material on record that the petitioner alleged to have indulged in excise offences, I am not inclined to grant the relief sought for by the petitioner. However, as there is remedy available under Section 34 of the Telangana Excise Act, the petitioner is at liberty to make application before the 2nd respondent-Deputy Commissioner, Prohibition and Excise. On receipt of the said application, the 2nd respondent may consider release of the vehicle specifying the security deposit and other requirements.

4. With the above direction, the Writ Petition is disposed of. No order as to costs. Miscellaneous Petitions, if any pending in this writ petition, shall stand closed.

CHALLA KODANDA RAM, J

19th February, 2019

sj

