

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WP.No.9283 of 2019

ORDER:

This writ petition is filed with the following prayer:

“....to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus directing the 2nd respondent to release the vehicle bearing No.TS08AHTR6840 involved in FIR No.48/2018 dated 27-09-2018 registered by police Raipole to the custody of the petitioner and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Learned counsel for the petitioner submits that petitioner granted loan to the 4th respondent for the purchase of subject vehicle and it is under hire purchase agreement and the subject vehicle was seized by the respondent-police. He further submits that since the petitioner is not at fault, the vehicle is to be released to the petitioner.

Learned Assistant Government Pleader for Home on instructions submits that since there is violation of provisions of the Essential Commodities Act (for short “the Act”), the subject vehicle was produced before the Joint Collector and the petitioner has to make application to the Joint Collector (Civil Supplies) for release of the vehicle.

In view of the above facts and circumstances of the case, the writ petition is disposed of granting liberty to the petitioner to make application before the concerned Joint Collector/Collector (Civil Supplies). Since proceedings under the Act are pending before the said authority, the said authority is directed to dispose

of the application within a period of two weeks from the date of receipt of a copy of this order.

As a sequel to the disposal of this writ petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

03-06-2019

Nvl



