

HIGH COURT FOR THE STATE OF TELANGANA

**THE HON'BLE THE CHIEF JUSTICE RAGHVENDRA SINGH CHAUHAN
AND**

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

W.P.No.13132 of 2019

Date: 01.07.2019

Between:

Shahnawaz Ali Khan

...Petitioner

and

The State of Telangana,
Rep. by its Principal Secretary,
Home Department, Secretariat,
Hyderabad, and others.

...Respondents

Counsel for the petitioner: Mr. Y.V.V.V.S. Jwala

**Counsel for the respondent Nos.1 and 3: Mr. Manoj Kumar,
AGP for Home**

**Counsel for the respondent No.2: Mr. J. Anil Kumar,
SC for TSHC**

The Court made the following:

ORDER: *(per Hon'ble Sri Justice Raghvendra Singh Chauhan)*

With the consent of the learned counsel for the parties, this case is being decided at this stage itself.

Mr.Shahnawaz Ali Khan, the petitioner, has filed the present writ petition *inter alia* on the ground that the police has seized his motor vehicle, bearing registration No.MH 31 CB 5032 and, has alleged that it was involved in a criminal offence. Despite the fact that the petitioner had filed an application, namely, CrI.M.P.No.174 of 2019 in C.C.No.429 of 2018, on 18.04.2019, under Section 451 read with Section 457 Cr.P.C. before the respondent No.2, the respondent No.2 has yet to decide the said application. Therefore, the petitioner claims that his right to receive his own property back is being violated by the respondent No.2.

Reiterating the same set of facts and the same set of events, the learned counsel for the petitioner has pleaded that direction should be issued to the respondent No.2 to decide the application expeditiously. The relief being prayed for by the learned counsel for the petitioner has not been opposed by the learned counsel for the respondents.

Therefore, this writ petition is disposed of directing the respondent No.2, the Judicial First Class Magistrate, Aandole, Jogipet, to decide CrI.M.P.No.174 of 2019 within a period of two weeks from the date of the receipt of the certified copy of this order. The application shall be decided strictly in accordance with law. There shall be no order as to costs.

As a sequel, miscellaneous petitions, pending if any,
shall stand closed.

(RAGHVENDRA SINGH CHAUHAN, CJ)

(Dr. SHAMEEM AKTHER, J)

Date: 01.07.2019

Note: Issue CC today

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