

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.13014 OF 2019

Date: 28.06.2019

Between:

LMakku S/o Vasya

Aged 40 years Occ Agriculture

R/o Jagni Thanda Balajipeta Bayyaram Mandal Khammam District

.....Petitioner

and

The State of Telangana

Rep by its Principal Secretary for Prohibition and Excise

Secretariat Hyderabad and others

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

This Writ Petition is filed praying to direct the respondents to release the vehicle i.e., TVS XL 100 BSIV bearing No.TS 26 B 7176. Petitioner alleges that his vehicle was seized by the 3rd respondent on the allegation of illegal transportation of 50 Kgs of black jaggery and 5 Kgs of alum. Petitioner claims to have purchased the said vehicle in the year 2018.

2. Heard learned counsel for petitioner and the learned Government Pleader for Prohibition and Excise for respondents.

3. The counsel on both sides state that the issue involved in this writ petition is covered by the decision of this Court in W.P.No.44088 of 2017, dated 26.12.2017.

4. Following the earlier orders of this Court, this Writ Petition is also disposed of, directing the 2nd respondent to release the said vehicle to the petitioner, subject to final orders to be passed in the criminal proceedings, and on petitioner furnishing a fixed deposit of 20,000/- (Rupees twenty thousand only) from any nationalized Bank in favour of 2nd respondent, and also on production of original RC Book and on petitioner further giving an undertaking that he will not transfer or alienate the vehicle to any third party in any manner and will maintain the vehicle in the same good road-worthy condition without changing its major parts and features, and would produce the same as and when directed to

be produced before the competent authority. Further, this order does not come in the way of continuation of confiscation proceedings. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 28.06.2019
tvk



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