

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.13181 OF 2019

Date: 01.07.2019

Between:

Battu Rajashekar, s/o. Pochaiah, Aged 22 years,
r/o. H.No.8-19/1, Nachupalli village, Kodimial
Mandal, Jagtial District.

.....Petitioner

and

State of Telangana, rep.by its Commissioner,
Prohibition & Excise Department, Opp: Exhibition
Grounds, Hyderabad and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner claims that he is the owner of two wheeler Glamour vehicle bearing Registration No.TS-21-B-5450. Said vehicle was seized on the allegation of violation of provisions of Telangana Excise Act. Petitioner earlier moved application before the II Additional Judicial Magistrate of First Class at Jagtial to release the vehicle, as vehicle was seized by the Sub-Inspector of Police, P.S. Mallial, and placed the vehicle in the custody of the Court. The learned Magistrate by order dated 02.01.2019 made in CrI.M.P.No.2357 of 2018 in Crime No.207 of 2018 of P.S. Mallial, while observing that he has no jurisdiction to entertain the application to release the vehicle, directed the Station House Officer to take return of the vehicle from that Court and produce the same before the Deputy Commissioner of Prohibition and Excise. Consequent to the above orders, petitioner filed petition before the Deputy Commissioner of Prohibition and Excise on 26.02.2019 to release the vehicle. Alleging inaction on the said petition, this Writ Petition is filed.

2. Since the Deputy Commissioner of Prohibition and Excise has also acknowledged the receipt of the petition to release the vehicle on 26.02.2019, he is directed to consider the said petition and pass appropriate orders as expeditiously as possible, preferably within a period of two weeks from the date of receipt of copy of this order. Writ Petition is accordingly disposed of. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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