

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 13906 of 2019

Date : 9.7.2019

Between:

Chowla Satish S/o Chowla Narayana
aged about 44 years
r/o Flt No 304 P No 916, 917
Deepika Enclave Buddha Nagar
Road No 7 Ghatkesar Peerzadiguda R R District

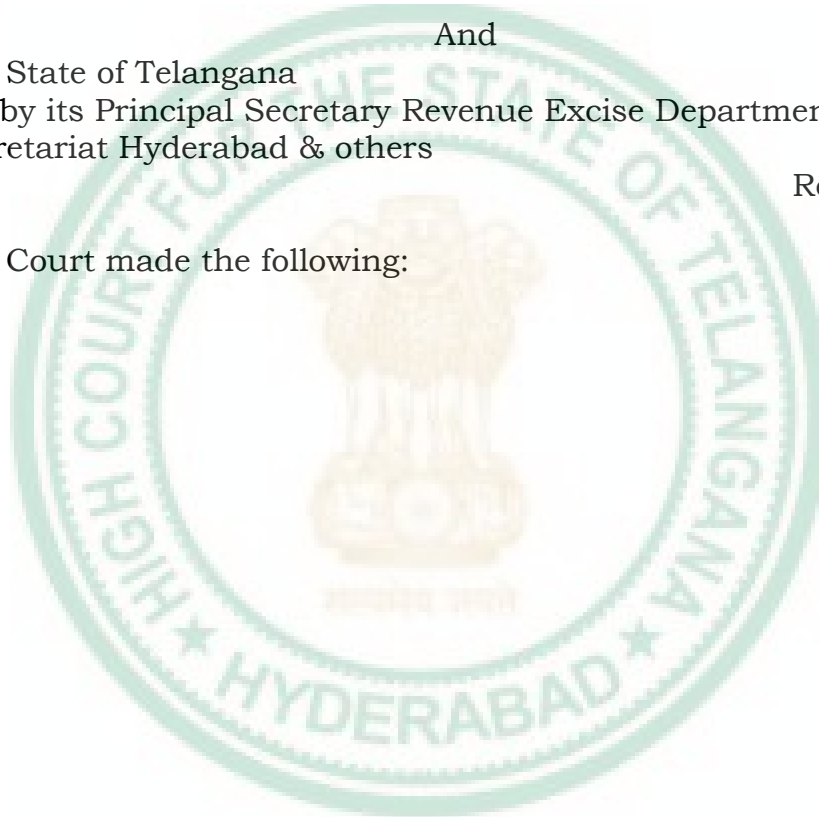
petitioner

And

The State of Telangana
rep by its Principal Secretary Revenue Excise Department
Secretariat Hyderabad & others

Respondents

The Court made the following:



HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 13906 of 2019

ORAL ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief:

“...to issue an appropriate Writ Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in not passing directing the 3rd respondent to release the Ashok Leyland Truck Jeep bearing Registration No TS 08 UE 6857 seized in Cr No 277/2019 inspite of the readiness of the petitioner to furnish the third party surety as being illegal and arbitrary and consequently direct the 2nd respondent to order for release of the vehicle to the petitioner and to grant....”

2. I have heard the submissions of Sri K. Laxmaiah, learned counsel appearing for the petitioner, learned Government Pleader for Prohibition and Excise appearing for the respondents 1 & 2, and of the learned Government Pleader for Home appearing for the 3rd respondent. I have perused the material record.

3. Subject vehicle was seized by the Station House Officer, Khammam (R) Police Station/3rd respondent on the allegation of violation of A.P. Excise Act. Petitioner is seeking release of the vehicle. If the vehicle seized by the 3rd respondent is not already surrendered before the jurisdictional Court, the 2nd respondent is directed to deliver the interim custody of the vehicle bearing No. TS 08 UE 6857 subject to petitioner furnishing a Fixed Deposit Receipt for Rs.1,50,000/- (Rupees One Lakh and fifty thousand only) from any nationalized bank in favour of respondent No.2 and also on production of original R.C. Book and on

petitioner further giving an undertaking that he will not transfer or alienate the vehicle to third party in any manner and will maintain the vehicle in the same good roadworthy condition without changing its major parts and features and would produce the same as and when directed before any Court or competent authority. However, the confiscation proceedings may go on.

4. Subject to above, the writ petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed.

DATE:9-7-2019
TVK

P NAVEEN RAO,J



HONOURABLE SRI JUSTICE P. NAVEEN RAO



WRIT PETITION No. 13906 of 2019

Date : 9.7.2019