

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 14886 of 2019

Date : 19.7.2019

Between:

Nenavath Laxman Laxma S/o Mothiya
Aged 36 years Occ Agriculture
R/o Venkatigani Thanda
H/o Chitriyala Village Chandampet Mandal
Nalgonda District

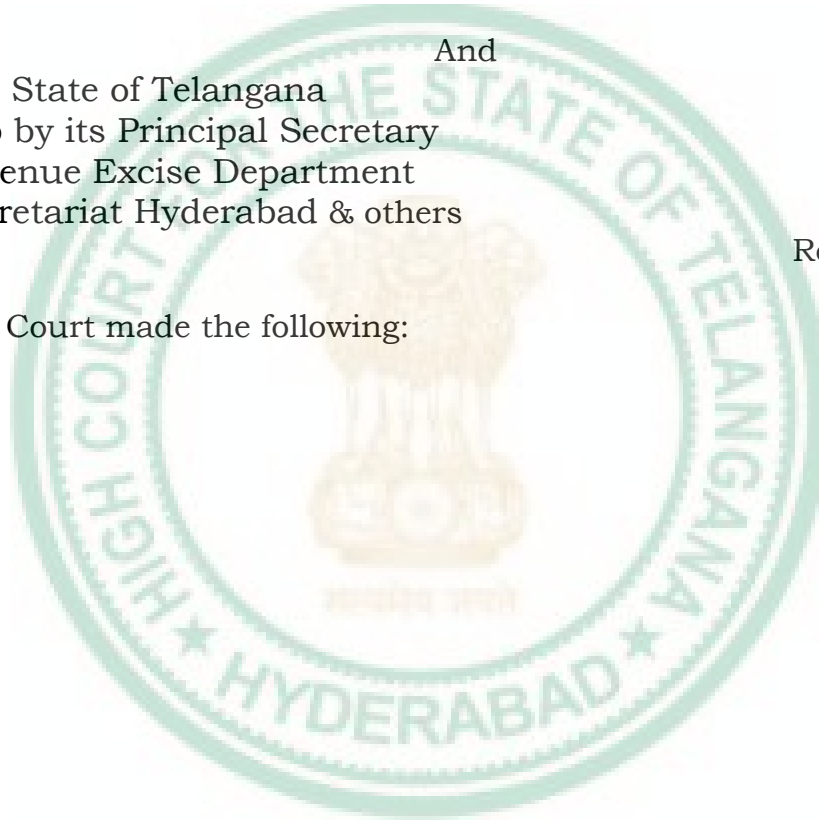
petitioner

And

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

Respondents

The Court made the following:



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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 proceedings of the respondents in seizure of vehicle belongs to the petitioner in Crime No 26 of 2019 dated 20.01.2019 on the file 3rd respondent consequently to direct respondent No 2 to release the Motor Cycle Vehicle Bearing TS05EC1662 as being illegal arbitrary and unilateral and pass”

2. I have heard the submissions learned counsel appearing for the petitioner and learned Government Pleader for Prohibition and Excise appearing for the respondents. I have perused the material record.

3. Subject vehicle was seized by the Station House Officer, Deverakonda Excise 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 3rd respondent shall deliver the vehicle to the 2nd respondent. In turn, the 2nd respondent is directed to deliver the interim custody of the vehicle bearing No. TS 05 EC 1662 subject to petitioner furnishing a Fixed Deposit Receipt for Rs.10,000/- (Rupees ten 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: 19-7-2019
TVK

P NAVEEN RAO,J



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