

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.16931 of 2019

ORDER:

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

“to issue writ of Mandamus in seizing the vehicle of the Petitioner bearing No AP-01-TA-0275 by the 3rd respondent and handed over to the 4th respondent on 27.05.2019, as illegal arbitrary and unconstitutional, and consequently direct the Respondents to release the vehicle of the Petitioner Eicher Van bearing No. AP-01 –TA-0275 seized by the 3rd Respondent and handed over to the 4th Respondent on 27.05.2019.”

2. Heard learned counsel for the petitioner, learned Assistant Government Pleader for Civil Supplies, appearing for respondent Nos.2 and 3 and learned Assistant Government Pleader for Home appearing for respondent No.4.

3. It is stated by learned counsel for the petitioner that in similar circumstances this Court granted interim order in W.P No.25486 of 2019 dated 29.11.2019 and same is not disputed by the learned Assistant Government Pleader for Civil supplies.

4. In view of the same, this Writ Petition is disposed of directing the respondents to release petitioner's vehicle bearing No.AP-01-TA-0275 on the following conditions;

- a) on production of documents regarding his ownership;
- b) on furnishing immoveable property security equivalent to the value of the seized vehicle.
- c) on production of an undertaking to the effect that he will produce the vehicle as and when required and also that he will not alienate the vehicle or alter its nature or create any

encumbrance over it till completion of enquiry under Section 6-A of the Act.

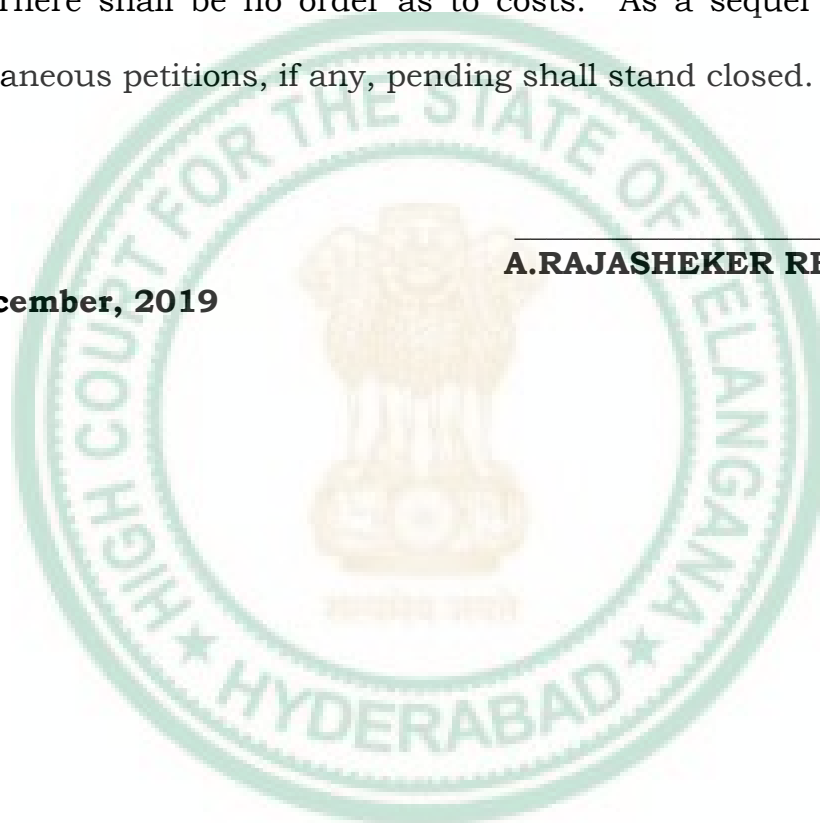
- d) It is also made clear that if the petitioner do not present the vehicle before the authorities concerned as and when required, the respondents shall be at liberty to initiate criminal proceedings against the petitioner and take appropriate action in accordance with law.
- e) Release of the vehicle of the petitioner is subject to further orders in the enquiry under Section 6-A of the Essential Commodities Act, 1955.

There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

6th December, 2019

YVL

A.RAJASHEKER REDDY, J



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Date: 06.12.2019.

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