

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.18222 of 2019

ORDER:

This Writ Petition is filed for the following relief:

“...issue Writ order or direction more in the nature Writ of Mandamus declaring the action of the 1st Respondent as illegal and unconstitutional and thereby sans any sanction of law and consequently direct the 1st Respondent to pay due compensation for the illegal and unlawful detention of petitioners vehicle bearing No TS07 GU 1737 by their public servants and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.”

It is the case of petitioner that the aforesaid vehicle has been illegally detained by respondent No.3 on the ground that he was in an intoxicated condition.

It is stated by learned counsel for the petitioner that in similar circumstances, this Court disposed of WP.No.2361 of 2019 by its order dated 07-02-2019, with the following direction:

“Therefore, the petitioner is directed to appear before the 5th respondent with RC Book relating to the said vehicle and also by producing proof of his identity and thereupon the 5th respondent or other official, who has the custody of the vehicle in question, shall release the said vehicle to the petitioner forthwith.”

Learned Assistant Government Pleader for Home does not dispute the same. He submits that the petitioner has to produce necessary original documents and give an undertaking before respondent No.3 that he will produce the vehicle in question before the Court concerned as and when required.

In view of the same, the Writ Petition is disposed of directing the petitioner to appear before respondent No.3 with RC book relating

to vehicle in question and also produce the proof of identity and give an undertaking that he will produce the vehicle in question before the Court concerned as and when required and thereupon, respondent No.3 or other official, who has the custody of the vehicle in question, shall release the said vehicle to the petitioner forthwith.

As a sequel to the disposal of this petition, Miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

22nd August, 2019

Note:

Issue CC today.

B/o

dr

