

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.921 of 2020

ORDER:

The case of the petitioner is that he is the owner of the car bearing registration No.AP 39 DJ 0789 and that on 05.01.2020 at 01.52 hours, when he reached Gachibowli Junction near AMB Mall on the main road, driving the said car, the 5th respondent-Station House Officer, Gachibowli, Cyberabad, who was conducting drunk-and-drive check, stopped him and subjected him to breath analyzer test and alleged that he is in an inebriated state and seized his car, and that the said car is presently lying at Gachibowli Police Station in the open space and he was also issued with e-challan. The grievance of the petitioner is that the 5th respondent has no jurisdiction to detain his car.

2. Heard the learned counsel for the petitioner and the learned Government Pleaders appearing for the respondents.

3. Learned counsel for the petitioner submits that this Court, in similar circumstances, in W.P.No.15643 of 2019, *vide* its order, dated 25.07.2019, disposed of the said writ petition with certain directions.

4. Learned Government Pleaders appearing for the respondents do not dispute the same.

5. For reasons alike as were stated in W.P.No.15643 of 2019 and in terms of the said order, dated 25.07.2019, this writ petition is also disposed of directing the petitioner to appear before the 5th respondent with RC Book relating to the subject 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. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:10.01.2020

GJ

