

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 1550 of 2020

ORDER:

This writ petition is filed challenging the action of 3rd and 4th respondents in seizing the premises of the petitioner bearing H.Nos.23-138, Radhakrishna Nagar, Anand Bagh X Roads, Malkajgiri and 23-88/9, ground floor, beside Kondal Reddy Sneha Chicken Centre by putting lock and seal under cover of panchanama vide proceedings No.MRI/812/2019, dt.26.07.2019, without any sanction of law.

The grievance of the petitioner is that though crime is registered against the petitioner in Crime No.138/2019, under Sections 420, 273, 278 and 75 of IPC, read with Section 7(1) (2) (3) (5) and section 20(2) of Cigarette and other Tobacco Products Act and tobacco products were seized, but, interim custody of the above said property was granted by the XVII Addl. Metropolitan Magistrate, Cyberabad at Malkajgiri in CrI.MP.No.295/2019 in Crime No.138/2019 on 10.04.2019, but, still the 3rd respondent seized the subject premises without any authority of law.

Heard learned Assistant Government Pleader for Revenue.

No provision of law is brought to the notice of this Court by the respondents entitling the Mandal Revenue Officer to seize the subject premises.

In view of the same, the impugned seizure order dt.26.07.2019 is set aside. However, this order will not preclude the authorities from taking

action if petitioner is involved in any of other offences or for the purpose of investigation in Crime No.138/2019.

Accordingly, the writ petition is allowed. No order as to costs.

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

A.RAJASHEKER REDDY, J

28.01.2020
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