

**THE HONOURABLE SRI JUSTICE P. KESHA VA RAO**

**WRIT PETITION No.4203 of 2020**

**ORDER:**

Heard learned counsel for the petitioner as well as learned Government Pleader appearing for the respondents.

2. The prayer sought in the writ petition is as under:

“...to issue a Writ or order or direction more particularly in the nature of Writ of Mandamus by declaring the inaction of the respondents No.3 who foisted false case vide FIR No.134 of 2019 Dated 2/11/2019 but not producing the ceased vehicle vide temporary Number TS 04 XTR 9890 now it was numbered as TS 05 UD 3522 same before the 2<sup>nd</sup> respondent or Hon’ble Court Further prayer, if the 3<sup>rd</sup> respondent produced before the 2<sup>nd</sup> respondent, but not taking any steps to proceed for the release as per the representation 4-1-2020 made by the petitioner to act as per the Law is illegally improper, injustice, arbitrary, unconstitutional violation of the Rules and Act and GO, CONSEQUENTLY direct the respondents 2 and 3 to release the vehicle bearing No.TS04 XTR 9890 now it was numbered as TS 05 UD 3522 as per the application Dated 4/1/2020 made by the petitioner and pass such other order or orders as this Hon’ble Court may deems fit just and proper in the circumstances of the case.”

3. At the time of hearing, it is brought to the notice of this Court that in a case with identical facts, this Court disposed of many writ petitions. The petitioner submits that the seized vehicle of the petitioner may be released subject to giving security in the form of immovable property security.

4. Therefore, for the reasons alike as were stated, this Writ Petition is disposed of with a direction to the respondents to release the vehicle bearing No.TS 05 UD 3522 to the petitioner for interim custody subject to the final orders to be passed in the criminal proceedings, if any, on his furnishing fixed deposit receipt obtained from any Nationalized Bank for the 50% of the value of the vehicle as

determined by the Motor Vehicle Inspector and on furnishing immovable property security for the remaining 50% and also on production of the original R.C.Book and on his 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.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

27<sup>th</sup> February 2020

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**P. KESHAVA RAO, J**

