

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.4503 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 an appropriate Writ, order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents 2 and 3 in not passing orders directing the 4th respondent to release the petitioner Tractor bearing Registration No.TS 28 D 8115 along with Trailer (Carrier) seized pursuant to the Panchanama dt.08-02-2020, in spite of the petition submitted on 14-02-2020, as being illegal and arbitrary and subsequently direct the respondent Nos.2 and 3 herein to pass orders directing the 4th respondent herein to release petitioner Tractor bearing Registration No.TS 28 D 8115 along with Trailer (Carrier) and pass such other order or orders as this Hon’ble Court deems fit 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 and one of such matters has been placed in the material papers at Page Nos.29 and 30 filed along with the writ petition. 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 fourth respondent to release Tractor bearing Registration No.TS 28 D 8115 along with Trailer 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.

2nd March 2020

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P. KESHAVA RAO, J

