

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

MONDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO: 17523 OF 2019

Between:

Lavudya Sammaiah, S/o. Shevla Naik, aged about 30 years, Occ Driver,
R/o. Anasanpalli, Malhar Rao Mandal, Jayashankar Bhupalpally District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue (Excise) Department, Secretariat, Hyderabad.
2. The Deputy Commissioner of Prohibition and Excise, Warangal Division.
3. The Station House officer Bhupalpally, Excise Police Station, Bhupalpally Jayashankar District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ order, or direction more particularly one in the nature of writ of Mandamus declaring the action of the 2nd respondent in not releasing the TATA Xenon pick up bearing No. TS 13 UA 1438 seized in COR No.161/2019 in spite of my readiness to furnish the third-party surety, as being illegal, and arbitrary and consequently direct the 2nd respondent to release petitioner vehicle TATA Xenon pick up bearing No. TS 13 UA 1438, and to grant.

IA NO: 1 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 2nd respondent to release the TATA Xenon pick up bearing No. TS 13 UA 1438 seized in COR No.161/2019, pending disposal of the writ petition.

Counsel for the Petitioner : SRI P. DEVENDER

Counsel for the Respondents: GP FOR PROHIBITION AND EXCISE

The Court made the following: ORDER

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.17523 of 2019

ORDER:

1. Learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition with liberty to the petitioner to challenge the confiscation order dated 23.3.2021 before the appropriate authority in accordance with law.
2. Permission is accorded and accordingly, the Writ Petition is dismissed as withdrawn, however giving liberty to the petitioner to challenge the confiscation order dated 23.3.2021 before the appropriate authority in accordance with law. There shall be no order as to costs.
3. Miscellaneous Petitions pending, if any, shall stand dismissed.

//TRUE COPY//

SD/-B.SATYAVATHI
ASSISTANT REGISTRAR
Go
SECTION OFFICER

To,

1. One CC to Sri P. Devender, Advocate [OPUC]
2. Two CCs to GP for Prohibition and Excise, High Court for the State of Telangana at Hyderabad. [OUT]
3. Two CD Copies
4. One Spare Copy

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HIGH COURT

DATED:13/09/2021

ORDER

WP.No.17523 of 2019



DISMISSING THE WP
AS WITHDRAWN
WITHOUT COSTS

ATM 6
30/9/2021