

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

**MONDAY, THE ELEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 28092 OF 2023

Between:

Geetala Raja, S/o: Sesha Reddy, aged about 32 years, Occ. Business,
R/o H.No.4/207, Jambavantha Street, Kotha Madhavaram, Ontimitta, YSR
Kadapa District.

...PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary, Revenue (Excise Department), Secretariat, Hyderabad.
2. The Deputy Commissioner of Proh. and Excise, Warangal Division.
3. The Station House Officer, Mahabubabad @ Police Station, Mahabubabad 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the inaction of the 2nd respondent in issuing the NOC (No Objection Certificate) for the purpose of renewal of Fitness which is valid upto 7-7-2023, in respect of the Tata Goods Vehicle bearing Reg.No. AP-39-TV-4212 seized in FIR No.161/2021 on the file of the 3rd respondent herein, inspite of the notice dt.8-9-2023 followed by personal visits, as being illegal, arbitrary, unjust and unconstitutional.

IA NO: 1 OF 2023

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 respondent Not herein to forthwith issue the NOC to the petitioner so as to enable him to get the Fitness pertaining to his Tata Goods Vehicle bearing Reg.No.AP-39-TV-4212 renewed by considering the Notice dt.8-9-2023, pending disposal of the main Writ Petition, in the interest of justice.

Counsel for the Petitioner: SRI S PRASAD BABU

Counsel for the Respondent No.1 and 2: GP FOR PROHIBITION EXCISE

Counsel for the Respondent No.3: GP FOR HOME

The Court made the following: ORDER

HON'BLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION No.28092 of 2023

ORDER:

This writ petition is filed seeking the following relief:-

“...to issue an appropriate writ, order or direction, more particularly one in the nature of writ of mandamus declaring the action of respondent No.2 in not issuing the NOC (No Objection Certificate) for the purpose of renewal of Fitness which is valid upto 07.07.2023 in respect of the Tata Goods Vehicle bearing Registration No.AP 39 TV 4212 seized in F.I.R.No.161 of 2021 on the file of respondent No.3 herein, in spite of the notice, dated 08.09.2023 followed by personal visits, as being illegal, arbitrary, unjust and unconstitutional...”

2. This Court, *vide* order, dated 09.10.2023, directed respondent No.2 to consider the notice, dated 08.09.2023 issued to respondent No.2 seeking issuance of No Objection Certificate (NOC) within a period of three (03) weeks.

3. Learned counsel appearing for the parties have submitted that in compliance with the interim orders, dated 09.10.2023, passed by this Court, the notice, dated

08.09.2023, issued by the petitioner has been considered and passed appropriate orders for issuance of No Objection Certificate and in view of the same, the cause in this writ petition is no longer survives for further adjudication.

4. Recording the said submissions, this Writ Petition is disposed of. No costs.

5. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

SD/-MOHD. ISMAIL
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue (Excise Department), Secretariat, The State of Telangana, Hyderabad.
2. The Deputy Commissioner, of Proh. and Excise, Warangal Division.
3. The Station House Officer, Mahabubabad @ Police Station. Mahabubabad District.
4. One CC to Sri S. Prasad Babu, Advocate [OPUC]
5. Two CCs to GP for Home, High Court for the State of Telangana, at Hyderabad [OUT]
6. Two CCs to GP for Prohibition Excise, High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CD Copies

T J
GJP



HIGH COURT

DATED:11/12/2023

ORDER

WP.No.28092 of 2023



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.**

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[Signature]
11/03/2024