

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

**FRIDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

WRIT PETITION NO: 34389 OF 2024

Between:

Shaik Khasim, S/o Moula, Aged 38 years, Occ. Business, Bearing No. AP 39 UK 4482, R/o - H.No.319, Jaggaiahpet Shermohammedpet, Krishna, Andhra Pradesh - 521175

...PETITIONER

AND

1. The State of Telangana, rep by its Prl. Secretary, Civil Supplies Department Secretariat, Hyderabad
2. The Addl Collector (Civil Supplies), Suryapet District at Suryapet
3. The District Civil Supply Officer, Suryapet District
4. The Tahsildar (Civil Supplies), O/o. District Civil Supply Officer, Suryapet District
5. The Station House Officer, Chinthapalem Police Station, Suryapet 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 respondent in seizing the petitioner vehicle without informing is illegal, arbitrary and against the principles of natural justice and also violative of Articles 14, 19, 21 and 300-A of Constitution of India and consequently direct the respondents to release the petitioner vehicle bearing NO. AP 39 UK 4482, Tata ace auto vehicle immediately.

IA NO: 1 OF 2024

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 Respondents to release the petitioner vehicle bearing No. AP 39 UK 4482 Tata ace auto vehicle, pending disposal of the above writ petition.

Counsel for the Petitioner: SRI BETHEPU DILEEP KUMAR

Counsel for the Respondent No.1 to 4: GP FOR CIVIL SUPPLIES

Counsel for the Respondent No.5: GP FOR HOME

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE T. MADHAVI DEVI

WRIT PETITION No.34389 of 2024

ORDER:

This Writ Petition is filed to declare the seizure of the petitioner's vehicle i.e., Tata Ace Goods Carriage bearing No.AP-39-UK-4482 under the cover of panchanama in connection with Crime No.163 of 2024 dated 18.10.2024 of Mallareddigudem (Chinthalapalem) Police Station, Suryapet, as illegal, arbitrary and unconstitutional.

2. Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies appearing on behalf of respondents No.1 to 4 and learned Government Pleader for Home appearing on behalf of respondent No.5. Perused the material on record.

3. Learned counsel appearing for the petitioner submits that in similar circumstances, this Court disposed of W.P.No.657 of 2024 on 09.01.2024 and directed the

respondents therein to release the vehicle with some conditions and requested to pass similar order.

4. Learned Government Pleader for the respondents has not disputed the submissions made by learned counsel for the petitioner and requested to pass appropriate order.

5. In view of the above submission, this Writ Petition is disposed of directing the respondent No.5 to release the vehicle i.e., Tata Ace Goods Carriage bearing No.AP-39-UK-4482, seized in connection with Crime No.163 of 2024 dated 18.10.2024 of Mallareddigudem (Chinthalapalem) Police Station, Suryapet, in favour of the petitioner subject to condition of his furnishing bank guarantee by way of Fixed Deposit for a sum of Rs.50,000/- (Rupees Fifty Thousand only) in favour of respondent No.2. Release of the vehicle shall be subject to outcome of the confiscation proceedings under Section 6-A of the E.C.Act. Pending such proceedings, the petitioner is directed not to alienate

or alter physical features of the subject vehicle, and is further directed to produce the vehicle as and when required by the authorities concerned. No order as to costs.

Miscellaneous applications, if any, pending in this writ petition, shall stand closed.

SD/- L. LAKSHMI BABU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Civil Supplies Department, Secretariat, Hyderabad, State of Telangana.
2. The Addl Collector (Civil Supplies), Suryapet District at Suryapet
3. The District Civil Supply Officer, Suryapet District
4. The Tahsildar (Civil Supplies), O/o. District Civil Supply Officer, Suryapet District
5. The Station House Officer, Chinthapalem Police Station, Suryapet District
6. One CC to SRI BETHEPU DILEEP KUMAR, Advocate [OPUC]
7. Two CCs to GP FOR CIVIL SUPPLIES, High Court for the State of Telangana at Hyderabad [OUT]
8. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad [OUT]
9. Two CD Copies

BSR

✓

HIGH COURT

DATED: 06/12/2024

ORDER

WP.No.34389 of 2024



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

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28/1/25