

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

TUESDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

WRIT PETITION NO: 35751 OF 2024

Between:

Sayyad Hakeem Sayyad Jafar, S/o Sayyad Jaffar, Aged about. 52 years, R/o H.No. 9-7-1397, Rehmat Nagar, Degloor Naka, Nanded, Maharastra State-431604.

...PETITIONER

AND

1. The State of Telangana, Rep by Principal Secretary, Civil Suppliers Department, Secretariat, Hyderabad.
2. The District Collector, Nizamabad District, Telangana State.
3. The Mandal Revenue Inspector, Bodhan, Nizamabad District.
4. The Tahsildar, Bodhan, Nizamabad District, Telangana State.
5. The Station House Officer, Bodhan Police Station, Nizamabad Dist, Telangana State.

...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 Pass an appropriate writ or direction, more particularly a Writ in the nature of Mandamus declaring the inaction of the 2nd respondent passing impugned orders in Case No. CS6/08/2023 Dated.01.02.2024 as illegal arbitrary and un-constitutional and consequently set aside impugned orders passed in Case No. CS6/08/2023 Dated.01.02.2024 by 2nd respondent and further direct the respondents to release the vehicle bearing No. MH490526.

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 issue interim directions to the Respondents to release the vehicle bearing No. MH490526 disposal of the writ petition.

Counsel for the Petitioner: SRI T.SRUJAN KUMAR REDDY
Counsel for the Respondent Nos.1 TO 4: AGP FOR CIVIL SUPPLIES
Counsel for the Respondent No.5: AGP FOR HOME

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE T. MADHAVI DEVI

WRIT PETITION No.35751 of 2024

ORDER:

This Writ Petition arises out of the proceedings dt.01.02.2024, wherein lorry bearing No.MH490523 of the petitioner has been seized and a case in Crime No.586 of 2022 dt.30.12.2022 on the file of Bhodhan Town Police Station has been registered. The petitioner is seeking interim release of the vehicle subject to confiscation proceedings under Section 6-A of the Essential Commodities Act, 1955 issued by the authorities.

2. Heard learned counsel appearing for the petitioner; learned Assistant Government Pleader for Civil Supplies appearing for respondent Nos.1 to 4 and learned Assistant Government Pleader for Home appearing for respondent No.5 and perused the record.

3. The learned counsel appearing for the petitioner submits that in similar circumstances this Court disposed of the 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. In view thereof, this writ petition is disposed of, directing the respondents to release the vehicle, i.e., lorry bearing No.MH490523 subject to the petitioner furnishing a bank guarantee by way of fixed deposit for a sum of Rs.50,000/- (Rupees fifty thousand only) in favour of respondent No.2-District Collector, Nizamabad District and also furnishing an undertaking that he will not alienate the subject vehicle or alter its nature or create any encumbrance on it. The release of the vehicle shall be subject to the outcome of the confiscation proceedings under Section 6-A of the Essential Commodities Act, 1955.

5. Accordingly, with the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions pending, if any shall stand closed.

SD/-P.CH.NAGABHUSHAMBA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

- To
1. The Principal Secretary, Civil Suppliers Department, Secretariat, Hyderabad, State of Telangana.
 2. The District Collector, Nizamabad District, Telangana State.
 3. The Mandal Revenue Inspector, Bodhan, Nizamabad District.
 4. The Tahsildar, Bodhan, Nizamabad District, Telangana State.
 5. The Station House Officer, Bodhan Police Station, Nizamabad Dist, Telangana State.
 6. One CC to SRI T.SRUJAN KUMAR REDDY, 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

PSK.
BSK

HIGH COURT

DATED:31/12/2024

ORDER

WP.No.35751 of 2024



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

13
G.B.

15/2/25