

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

TUESDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 2345 OF 2025

Between:

Daravathu Bujji, D/o. Dhulya, Aged 40 years, R/o. H.No. 11-79, Chilakamma
Thanda, Ashok Nagar, Warangal Rural - 506132

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary Prohibition and Excise Department, Secretariat, Hyderabad.
2. The Commissioner of Prohibition and Excise, Abkari Bhavan, M.J Rd, Chandra Vihar, Old Kattal Mandi, Nampally, Hyderabad, Telangana 500001
3. The Deputy Commissioner of Prohibition and Excise, Warangal Division, Warangal District.
4. The Station House Officer, Prohibition and Excise Station, Thorrur, 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 a writ order, or direction more particularly one in the nature of writ Mandamus declaring the action of the respondents in seizing the petitioner's Two Wheeler Vehicle of the petitioner Pulsar 125 DTS-I CBS BSIV Motor Cycle, bearing Registration No. TS24D0285, Engine No. DHYWLK03434, Chassis No. MD2B64BY4LWK04104, on the ground of the accused carrying ID Liquor in connection with COR No. 496/2024, dated 21.08.2024, as highly illegal, arbitrary and violation of principles of natural justice and consequently direct the respondents to release the seized vehicle of the petitioner TATA HGV LPT 4830 BSVI 10X2, bearing Registration No. CG08AY4477.

IA NO: 1 OF 2025

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 to forthwith release the seized vehicle of the petitioner Two Wheeler Vehicle of the petitioner Pulsar 125 DTS-I CBS BSIV Motor Cycle, bearing Registration No. TS24D0285, Engine No. DHYWLK03434, Chassis No. MD2B64BY4LWK04104, pending disposal of the writ petition.

Counsel for the Petitioner: SRI RAMESH KADARI

**Counsel for the Respondent Nos.1 TO 3: M/s. G.SHILPA, AGP FOR
PROHIBITION EXCISE**

Counsel for the Respondent No.4: SRI M.SRINIVAS, AGP FOR HOME

The Court made the following: ORDER

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.2345 OF 2025

ORDER:

This writ petition is filed by the petitioner seeking to declare the action of the respondent authorities in seizing her two wheeler vehicle i.e., Pulsar 125 DTS-1 CBS BSIV motor cycle bearing registration No.TS 24 D 0285 in connection with C.O.R.No.496 of 2024 of Prohibition and Excise Station, Thorrur, as arbitrary and in violation of principles of natural justice, and sought for a consequential direction to the respondents to release her seized vehicle i.e., TATA HGV LPT 4830 BSVI 10X2 bearing registration No.CG08AY4477.

2. Heard Mr. Ramesh Kadari, learned counsel for the petitioner, Ms. G. Shilpa, learned Assistant Government Pleader for Prohibition and Excise, and Mr. M. Srinivas, learned Assistant Government Pleader for Home, and perused the material available on record.

3. Learned counsel for the petitioner submitted that the vehicle of the petitioner seized is Pulsar 125 DTS-I CBS BSIV motor vehicle bearing registration No. TS 24 D 0285, but in the consequential relief sought in the writ petition, due to inadvertence, the vehicle of the petitioner is wrongly mentioned as TATA HGV LPT 4830 BSVI 10X2.

4. Learned Assistant Government Pleader for Prohibition and Excise submitted that the writ petition is not maintainable as the

confiscation order was already passed by respondent No.3 - Deputy Commissioner of Prohibition and Excise, Warangal Division, by order dated 21.10.2024 in CR.No.747/2024/P&E/B4. The petitioner challenged the confiscation order by filing appeal on 20.11.2024 before respondent No.2 - Commissioner of Prohibition and Excise, and the said appeal is pending.

5. As confiscation order was already passed, the question of the petitioner filing the present writ petition challenging the seizure of her vehicle would not arise. Thus, the writ petition is not maintainable and the same is, accordingly, dismissed. The petitioner is granted liberty to pursue appeal said to have been filed by her challenging the confiscation order dated 21.10.2024. The appeal so filed shall be disposed of by respondent No.2 within a period of four (4) weeks from the date of receipt of a copy of this order. No order as to costs.

As a sequel thereto, miscellaneous applications, if any, pending in this writ petition stand closed.

SD/-V.KAVITHA
ASSISTANT REGISTRAR

R.B.M.
SECTION OFFICER

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To

1. One CC to SRI RAMESH KADARI, Advocate [OPUC]
2. Two CCs to GP FOR PROHIBITION EXCISE, High Court for the State of Telangana, at Hyderabad. [OUT]
3. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad. [OUT]
4. Two CD Copies

PSK.
GJP

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HIGH COURT

DATED:28/01/2025

ORDER

WP.No.2345 of 2025



DISMISSING THE WRIT PETITION
WITHOUT COSTS

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G.B

30/4/23