IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

WRIT PETITION NO: 37100 OF 2025

Between:

Mohammed Idris, S/o Mohammed Ghouse, Age. 45 years, Occu. Owner of Lorry, R/o H.no 1-1-412,Rakasipet, Bodhan, Nizamabad District.

...PETITIONER

AND

1. The State of Telangana, Rep.by Principal Secretary, Consumer Affairs Food and Civil Supplies, T.S. Secretariat Buildings, Hyderabad.
2. The District Collector, (Civil Supplies), Rangareddy District.
3. The Deputy Tahasildar, (Civil Supplies) O/o District Civil Supplies Office, Rangareddy District.
4. The Station House Officer, Balapur Police Station, Rachakonda Commissionerate.

...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 order, direction or Writ more particularly one in the nature of Writ of Mandamus declaring the action of respondent no.4, in registering -the case vide FIR no. 460 of 2025, Dated. 05/11/2025, U/s 318(4) BNS and section 7 of Essential commodities Act against the petitioner's seizing of vehicle as illegal, arbitrary, without the sanction of law against the principles of natural justice and also violation of Articles 14,19 and 21 of the Constitution of India and consequently direct the respondent No. 4 to release the seized vehicle of the petitioner vehicle lorry bearing number TS-30-T-2718 ASHOK LEYLANDLTD) to the petitioner which was seized by registering FIR.no.460 of 2025, dated. 05/11/2023 by 4th respondent.

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 4th respondent to release the bearing no.TS-30-T-2718 (ASHOK LEYLAND LTD) to the petitioner which was seized in connection with FIR. no. 460 of 2025,dated. 05/11/2025, U/s 318(4) BNS and Section 7 of Essential commodities Act of P.S.Balapur, Rangareddy district pending disposal of Writ petition.

Counsel for the Petitioner: SRI DASI RAMESH

Counsel for the Respondents No 1 To 3: GP FOR CIVIL SUPPLIES

Counsel for the Respondent No 4 : GP FOR HOME

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HON'BLE SMT. JUSTICE T. MADHAVI DEVI

WRIT PETITION No.37100 of 2025

05th December, 2025

Between:

Mohammed Idris

... Petitioner

AND

The State of Telangana & 3 others.

...Respondents

ORDER:

This Writ Petition is filed seeking the following relief:

"....to issue an order, direction or Writ more particularly one in the nature of Writ of Mandamus declaring the action of respondent no.4, in registering the case vide FIR no. 460 of 2025, Dated: 05-11-2025, U/s 318(4) BNS and section 7 of Essential commodities Act against the petitioner's seizing of vehicle as illegal, arbitrary, without the sanction of law against the principles of natural justice and also violation of Articles 14,19 and 21 of the Constitution of

India and consequently direct the respondent No. 4 to release the seized vehicle of the petitioner vehicle lorry bearing number TS-30-T-2718 (ASHOK LEYLAND LTD) to the petitioner which was seized by registering FIR.no.460 of 2025, dated: 05-11-2023 by 4th respondent...."

2. Heard learned counsel for the petitioner, learned Government Pleader for Civil Supplies appearing for respondents No.1 to 3 and learned Government Pleader for Home appearing for respondent No.4. Perused the material available on record.

3. Learned counsel for the petitioner submitted that the petitioner is only seeking release of the vehicle bearing No.TS-30-T-2718 (Ashok Leyland) subject to the outcome of the proceedings initiated against him under Section 7-A of the Essential Commodities Act, 1955. He also submitted that in similar matter i.e., W.P.No.9806 of 2025 dated 01.04.2025, this Court had directed the respondents

to release the vehicle subject to certain conditions. A copy of the same is filed along with this Writ Petition.

4. Learned Government Pleader for Civil Supplies as well as the learned Government Pleader for Home has not disputed the submission made by the learned counsel for the petitioner.

5. In view of the above submissions, this Writ Petition is disposed of directing the respondents to release the vehicle bearing No.TS-30-T-2718 (Ashok Leyland) subject to the petitioner 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 and also furnishing 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 7-A of the Essential Commodities Act, 1955. There shall be no order as to costs.

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

SD/-P. PONNA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Consumer Affairs Food and Civil Supplies, State of Telangana, T.S. Secretariat Buildings, Hyderabad.
2. The District Collector, (Civil Supplies), Rangareddy District.
3. The Deputy Tahasildar, (Civil Supplies) O/o District Civil Supplies Office, Rangareddy District.
4. The Station House Officer, Balapur Police Station, Rachakonda Commissionerate.
5. One CC to SRI DASI RAMESH, Advocate [OPUC]
6. Two CCs to GP FOR CIVIL SUPPLIES ,High Court for the State of Telangana at Hyderabad. [OUT]
7. Two CCs to GP FOR HOME , High Court for the State of Telangana at Hyderabad. [OUT]
8. Two CD Copies

DAN
BS

HIGH COURT

DATED:05/12/2025



ORDER

WP.No.37100 of 2025

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

12 copies
by
11/12/25