
(2020) 01 TEL CK 0003
In the Telangana High Court
Case No : Writ Petition No. 42 Of 2020

Thalia Naresh Patvari Naresh

APPELLANT

Vs

State Of Telangana And Others

RESPONDENT

Date of Decision : 03-01-2020

Acts Referred:

Telangana State Excise Act, 1968 — Section 34(e)

Citation : (2020) 01 TEL CK 0003

Hon'ble Judges : T. Vinod Kumar, J

Bench : Single Bench

Advocate : T Rajinikanth Reddy

Final Decision : Disposed Of

Judgement

This writ petition is filed seeking Mandamus to declare inaction of respondent No.2 in releasing the petitioner's vehicle make of Mahindra Bolero bearing No.AP22 TA 5958, which was seized in relation to C.O.R. No.44 of 2019, dt.07.11.2019 under Section 34 (e) of Telangana State Excise Act, 1968 on the file of respondent No.3, though the petitioner is ready to furnish the third party security, as illegal, arbitrary, and consequently, sought a direction to respondent No.2 to release the petitioner's Vehicle i.e. Mahindra Bolero bearing No.AP22 TA 5958 and pass such other order or orders.

Heard learned counsel for the petitioner and the learned Assistant Government Pleader for Prohibition and Excise appearing for the respondents.

It is represented by the learned counsel for the petitioner that the issue raised in this Writ Petition is squarely covered by the orders of this Court dated 18.11.2019 in W.P.No.24990 of 2019, which has been subsequently followed in W.P.No.26758 of 2019, dt.04.12.2019, and same is not disputed by the learned Assistant Government Pleader for Prohibition and Excise.

Since the petitioner has not made any application before respondent No.2 - Deputy Commissioner of Prohibition and Excise, Maheshwaram, Ranga Reddy

District, liberty is granted to the petitioner to make an application before respondent No.2 for release of the vehicle. Upon filing of such an application by the petitioner, respondent No.2 shall consider and pass appropriate orders on the same for release of the vehicle, subject to providing security for the value of said vehicle as valued by the Motor Vehicle Inspector, within a period of two weeks.

With the above direction, this writ petition is disposed of. No order as to costs.

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