

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.45894 of 2016

Date: 30.12.2016

Between:

S.Dhanalaxmi W/o S.Hari Prasad, Aged 32 years,
R/o. D.No.18-1-292/47/A/119/B, Bharath Singh
Nagar, Uppuguda, Hydeabad.

.....Petitioner

and

The State of Telangna, rep.by its Secretary,
Prohibition and Excise Department, Secretariat,
Hyderabad and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner owns vehicle Maruthi Suzuki Alto 800 bearing registration No.AP-11-AU-5650. Petitioner's vehicle was seized along with jaggery and alum. This writ petition is filed alleging that his vehicle was seized and is not being released and kept in open area without proper security and coverage and since the vehicle is exposed to weather conditions, there will be possibility of damage.

2. Petitioner has appropriate remedy to file an application before the Deputy Commissioner for release of the vehicle. Apparently, no such application is filed. Without exhausting such remedy, petitioner cannot directly invoke jurisdiction of this Court for a direction to release his vehicle.

3. Writ petition is dismissed, leaving it open to the petitioner to file an application before the Deputy Commissioner (3rd respondent) for release of vehicle. As and when such application is filed, 3rd respondent shall consider the same and pass appropriate orders as expeditiously as possible, preferably within a period of two weeks from the date of receipt of such application. It is open to the 3rd respondent to impose such conditions as warranted while granting interim custody of the vehicle, pending confiscation proceedings.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

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