

**THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY**

**WRIT PETITION NO.25646 OF 2020**

**ORDER:**

This petition is filed under Article 226 of the Constitution of India, seeking to issue a Writ of Mandamus, declaring the action of the respondents in seeking to release the vehicle i.e., i20 Hyundai Car bearing Registration No.KA-05-MR 6651 of the petitioner without jurisdiction, as illegal and arbitrary.

2. Heard learned counsel for the petitioner and the learned Government Pleader for Home.

3. Learned counsel for the petitioner submits that the petitioner is the owner of the i20 Hyundai Car bearing Registration No.KA-05-MR 6651 and the said vehicle was seized by the 2<sup>nd</sup> respondent/Superintendent of Police, Ananthapuramu District on the allegation of illegal transportation of liquor in the said vehicle.

4. The learned counsel for the petitioner and the learned Government Pleader for Home further submits that the issue in in the present writ petition is squarely covered by the orders of this Court in W.P.No.14783 of 2020 dated 08.09.2020, wherein this Court directed the respondents to get the vehicle valued by Motor Vehicle Inspector, concerned in the presence of the petitioner after serving a notice to the petitioner and on fixing value of the vehicle by the Motor Vehicle Inspector, the petitioner is directed to furnish immovable property security by executing a bond in favour of the third respondent, strictly

adhering to the Stamp and Registration laws, as per the value fixed by the Motor Vehicle Inspector and on production of such immovable property as security, the Superintendent of Police, is directed to release the vehicle as interim custody.

5. In view of the submission made by both the counsel, Writ Petition is disposed of, directing the third respondent/Station House Officer, to get the vehicle valued by Motor Vehicle Inspector concerned in the presence of the petitioner after serving a notice to the petitioner and on fixing value of the vehicle by the Motor Vehicle Inspector, the petitioner is directed to furnish immovable property security by executing a bond in favour of the second respondent, strictly adhering to the Stamp and Registration laws, as per the value fixed by the Motor Vehicle Inspector and on production of such immovable property as security, the 3<sup>rd</sup> respondent/Station House Officer, Madakasira Police Station, Ananthapuram District, is directed to release the vehicle as interim custody.

6. With these observations, the writ petition is disposed of accordingly. No costs.

Consequently, miscellaneous petitions pending, if any, shall also stand closed.

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**JUSTICE M. SATYANARAYANA MURTHY**

Date: 31.12.2020

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