

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

**TUESDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND TWENTY**

PRESENT

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO: 9378 OF 2020

Between:

Komira Karunakar, S/o. Chandraiah, aged 28 years, R/o. 1-26, Vangoor(M),
Kondareddipalle, Mahboobnagar, Telangana.

...PETITIONER

AND

1. The State of Telangana, Rep.by its Commissioner of Civil Supplies Department
And Ex-Officio Secretary, 3rd Floor, Civil Supplies Bhavan, Somajiguda,
Hyderabad District
2. The District Collector, Nalgonda District.
3. District Civil Supplies Officer, Nalgonda, Nalgonda District.
4. Station House officer, P.S. Dindi, Nalgonda Dist.

...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 or Order one in particularly a WRIT OF MANDAMUS declaring the action of respondents in not releasing the Auto Rickshaw Vehicle bearing No AP24-W-4541, in favour of petitioner being illegal, irregular, arbitrary and in violation of principles of natural justice and consequently direct the respondents to release the Auto Rickshaw Vehicle bearing No AP24-W-4541, in favour of petitioner on him furnishing the personal bond or solvent sureties.

IA NO: 1 OF 2020

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 respondents to release the Auto Rickshaw Vehicle bearing No AP24-W-4541, in favor of petitioner on him furnishing the personal bond or solvent surities pending disposal of the above.

Counsel for the Petitioner : SRI S. VIPLAV SIMHA REDDY

Counsel for the Respondent Nos.1 to 3: GP FOR CIVIL SUPPLIES

Counsel for the Respondent No.4: GP FOR HOME

The Court made the following: ORDER

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.9378 of 2020

ORDER:

The petitioner's Auto Rickshaw bearing Registration No.AP-24-W-4541 was intercepted and seized by the 4th respondent – SHO, Dindi P.S., on 06.11.2019 on the ground that the vehicle was used for illegal transportation of 5 quintals of PDS Rice. A case in FIR No.107 of 2019 for the offences under Section 420 of IPC, and Section 7 of Essential Commodities Act has been registered. It is the case of the petitioner that the vehicle was on hire for transportation purpose, and the petitioner has nothing to do with the alleged offence.

Heard Sri Viplav Simha Reddy, learned counsel for the petitioner, and learned Government Pleader for Civil Supplies.

Having considered the respective submissions, as enquiry is required to be conducted, the writ petition is disposed of with a direction to respondent No.4-SHO, Dindi P.S, to release the vehicle No.AP-24-W-4541 on the petitioner furnishing immovable property security for a sum of Rs.25,000/- (Rupees Twenty five thousand only) with the 3rd respondent; and also furnishing an undertaking that he shall not alienate or change the physical features of the vehicle. The 3rd respondent shall also write to the RTA authority to not transfer the vehicle on any third parties name without clearance from the Civil Supplies Department. The release of vehicle is in view of the situation on account of COVID-19, and the release shall be subject to the orders to be passed by the respondent authorities in the enquiry under the provisions of Essential Commodities Act. No costs. Miscellaneous petitions, if any pending, shall stand closed.

//TRUE COPY//

SD/-B.SATYAVATHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Commissioner of Civil Supplies Department And Ex-Officio Secretary,
State of Telangana, 3rd Floor, Civil Supplies Bhavan, Somajiguda, Hyderabad
District
2. The District Collector, Nalgonda District.

3. District Civil Supplies Officer, Nalgonda, Nalgonda District.
4. Station House officer, P.S. Dindi, Nalgonda Dist.
5. One CC to Sri S. Viplav Simha Reddy, 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

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HIGH COURT

DATED:30/06/2020



ORDER

WP.No.9378 of 2020

DISPOSING OF THE WP
WITHOUT COSTS

11
8/7/20
HKT