

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
THURSDAY, THE EIGHTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY**



:PRESENT:

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

WRIT PETITION NO: 18274 OF 2020

Between:

Katchala Krishna, S/o Dhoraswamy, Hindu, aged about 45 years, R/o Krishna Nagar, Guntur.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Home, Secretariat Buildings, Velagapudi, Guntur District.
2. The Superintendent of Police, Guntur Urban, Guntur.
3. The Station House Officer, Pattabhipuram Police Station, Pattabhipuram, Guntur.
4. Sri Kalyana Raju, Circle Inspector of Police, O/o. Superintendent of Police, Guntur Urban, Guntur District.
5. Lakshmi, Police Constable, Pattabhipuram P.S. Guntur.

...Respondents

WHEREAS the Petitioner above named through his Advocate Sri G Kondala Rao presented this 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, order or direction more in the nature of Writ of Mandamus, declaring the action of the respondents in illegally seizing the vehicle of the petitioner bearing No AP-07-AU-6210 (Hero Honda Passion) and not releasing the same though more than four (4) months have elapsed from the date of seizure without any reasons is as illegal, arbitrary, unjust and violative of Fundamental Principles enshrined under the Constitution of India and consequently direct the respondents to release the vehicle of the petitioner bearing No. AP-07-AU-6210 (Hero Honda Passion).

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri G Kondala Rao Advocate for the Petitioner, GP for Home on behalf of respondent Nos. 1 to 3, directed issue of notice to the Respondents Nos. 4 & 5 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. Sri Kalyana Raju, Circle Inspector of Police, O/o. Superintendent of Police, Guntur Urban, Guntur District.
2. Lakshmi, Police Constable, Pattabhipuram Police Station, Guntur District.

Are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

The Court made the following:

ORDER:

"Notice before admission.

Learned Government Pleader for Home has taken notice on behalf of respondent Nos. 1 to 3.

Issue notice to respondent Nos. 4 and 5.

Learned counsel for the petitioner is permitted to take out personal notice to respondent Nos. 4 and 5 by registered post with acknowledgement due and file proof of service in the Registry.

List the matter after two weeks."

**Sd/- A. SURYA PRAKASA RAO
DEPUTY REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. Sri Kalyana Raju, Circle Inspector of Police, O/o. Superintendent of Police, Guntur Urban, Guntur District.
2. Lakshmi, Police Constable, Pattabhipuram Police Station, Guntur District.
(Addresses Nos 1 and 2 by RPAD- along with a copy of petition and Affidavit)
3. One CC to Sri. G Kondala Rao Advocate [OPUC]
4. Two CCs to GP for Home, High Court Of Andhra Pradesh. [OUT]
5. One spare copy.

MSB

HIGH COURT

CMR,J

DATED:08/10/2020

ORDER

LIST THE MATTER AFTER TWO WEEKS

NOTICE BEFORE ADMISSION

WP.No.18274 of 2020

