



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3330]

MONDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 38634/2022

Between:

1.S VENKATESAN, S/O. SEENIVASAN CHINNAPPA, AGED ABOUT 31 YEARS, R/O. 49, POYAR STREET, CHINNAMITTUR VILLAGE, VENNAMPALLE POST, KATPADI TALUK, VELLORE DISTRICT, TAMIL NADU STATE

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP BY ITS PRL. SECRETARY, REVENUE (PROHIBITION 86 EXCISE) DEPARTMENT, A.P. SECRETARIAT, VELAGAPUDI, AMARAVATHI.

2.THE DEPUTY COMMISSIONER OF PROHIBITION AND EXCISE, DOOR NO. 10-252, GANDHI ROAD, CHITTOOR TOWN AND DISTRICT, A.P.

3.THE SUPERINTENDENT OF POLICE, DISTRICT POLICE OFFICER, PRASANTH NAGAR, CHITTOOR, CHITTOOR DISTRICT.

4.THE STATION HOUSE OFFICER, THAVANAMPALLE P.S., THAVANAMPALLE VILLAGE AND MANDAL, CHITTOOR DISTRICT, A.P.

...RESPONDENT(S):

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 topleased to issue Writ, Order or Direction more particularly one in the nature of writ of Mandamus declaring the action of Respondent No. 4 in

not releasing the vehicle of the Petitioner vehicle which was seized in the offence as arbitrary, illegal, without jurisdiction and contrary to provisions of A.P. Excise (Amendment) Act, 2020 and violation of Article 14, 21 and 300-A of the Constitution of India and consequently direct the Respondent No.4 to return the vehicle of the Petitioner i.e., Eicher Lorry bearing No. TN 02 AM 1786 by accepting the surety of the 10 PERCENT value of the vehicle and pass

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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 pass an interim order directing the Respondents to release the vehicle of the Petitioner bearing No. TN 02 AM 1786 forthwith, until disposal of the above writ petition and pass

Counsel for the Petitioner:

1. SRINIVASA RAO NARRA

Counsel for the Respondent(S):

1. GP FOR PROHIBITION EXCISE
2. GP FOR HOME

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

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ORDER:

Sri M.Narendra Babu, learned counsel representing Sri Narra Srinivasa Rao learned counsel for the petitioner, sought permission of this Court for withdrawal of the writ petition with liberty to file fresh writ petition on the same cause of action. Learned counsel endorsed the same on the bundle.

Permission is accorded.

Accordingly, the present Writ Petition is dismissed as withdrawn with liberty to file fresh writ petition. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions pending, if any shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 01.12.2025

KBN

THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.38634 of 2022

Date: 01.12.2025