

[3488]

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**WEDNESDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

WRIT APPEAL NO: 305 OF 2026

Writ Appeal under clause 15 of the Letters Patent Against the Order Dated 29/01/2026 in W P No 2550 of 2026 on the file of the High Court.

Between:

Raghunandan Das Khanna, S/o Late R.D. Khanna, Aged about 62 Years, Occ. Business, R/o H.No. 3-4-845/5, Barkatpura, Hyderabad - 500027

...APPELLANT

AND

1. The State of Telangana, Principal Secretary (Home) Secretariat Buildings, Saifabad, Hyderabad - 500022
2. The Director General of Police, Telangana State Police Headquarters, Lakdikapool, Hyderabad - 500004
3. The Commissioner of Police, Hyderabad City Police Commissionerate, Police Command Control Centre, Road No. 12, Banjara Hills, Hyderabad - 500034
4. The Station House Officer, Khairtabad Police Station, Opposite I-Max Theatre, NTR Marg, Khairtabad, Hyderabad - 500004
5. The Deputy Commissioner of Police, Central Zone Fateh Maidan, Basheer Bagh, Hyderabad - 500001
6. Mr Ashwin, Police Constable (Blue Colts Unit) Attached to Khairtabad Police Station, Opposite I-Max Theatre, NTR Marg, Khairtabad, Hyderabad - 500004
7. Mr Pradeep, , Police Constable (Blue Colts Unit) Attached to Khairtabad Police Station, Opposite I-Max Theatre, NTR Marg, Khairtabad, Hyderabad - 500004

8. Inspector Venkat Reddy, Inspector of Police Khairtabad Police Station, Opposite I-Max Theatre, NTR Marg, Khairtabad, Hyderabad - 500004
9. Mr. Ashok, Police Officer Khairtabad Police Station, Opposite I-Max Theatre, NTR Marg, Khairtabad, Hyderabad - 500004. (Holder of Mobile No. 98667-16434.

...RESPONDENTS

I.A. NO: 2 OF 2026

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 immediate release of vehicle TS-09-GC-6214 two wheeler-Honda Activa under the cover of proper inventory and panchnama, without insisting on payment of any pending challans pending the above writ appeal and to pass such other order or orders.

I.A. NO: 1 OF 2026

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 suspend the order passed in WP 2550 OF 2026 Dated 29-01-2026 as prayed for by the writ petitioner in the interest of justice.

Counsel for the Appellant : SRI RAJENDER KHANNA

Counsel for the Respondents: SRI MAHESH RAJE, GP FOR HOME

The Court made the following: JUDGMENT

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.305 of 2026

DATED: 22.04.2026

Between:

Raghunandan Das Khanna S/o. Late R.D.Khanna

... Appellant

AND

The State of Telangana,
Principal Secretary (Home)
Secretariat Buildings, Saifabad,
Hyderabad – 500 022 & 8 others

... Respondents

JUDGMENT:

Heard Mr. Rajender Khanna, learned counsel appearing for the appellant and Mr. Mahesh Raje, learned Government Pleader for Home appearing for respondent Nos.1 to 5.

2. W.P.No.2550 of 2026 was preferred with the following prayer:

“For the reasons stated in the accompanying affidavit, the Petitioner prays that this Hon'ble Court may be pleased to pass the order by way of Mandamus under Article 226/227 of Constitution

a) To Declare the seizure and detention of vehicle Two Wheeler Honda Activa TS-09-GC-6214 as illegal and unconstitutional and non-compliance

to Procedural Laws under the Provisions of Law Under Sections 206, 207 of MV Act and Sections 447, 448, 448-A(v) Motor Vehicle Act Rules.

- b) To Declare the Seizure of Vehicle by the Respondent 6 and 7 Blue Colts Constables without Authority as provided Section 206, 207 of MV Act and Sections 447, 448, 448-A(v) Motor Vehicle Act Rules as illegal
 - c) To Declare the On Duty Respondent 6 and 7 performing the duties without identification Badges as illegal.
 - d) To Declare the in-Action of Respondents 2 to 5 on complaint dated 06-01-2026 as illegal and arbitrary.
 - e) To Declare the in-action of Respondents 2 to 5 on Show Cause Notice dated 14-01-2026 as illegal and arbitrary.
 - f) To Declare the In-action of Respondents 2 to 5 on final Notice dated 21-01-2026 as illegal and arbitrary.
 - g) To Declare the Non Filing of Charge sheet if any as provided U/s 448-A(IV) of Motor Vehicle Rules 1989 within 3 days of seizing the vehicle as illegal and Contrary to Law.
 - h) To Declare the Action of Respondent 9 in demanding the Payment of Pending Challans for release of vehicle as arbitrary, illegal.
 - i) To Direct Departmental and Disciplinary Proceedings against Respondent Nos. 6, 7, 8 and 9
- and to pass such other orders as deemed fit and proper in interest of justice."

3. The appellant/writ petitioner being aggrieved by the impugned order at paras 8 and 9, as extracted hereunder, has preferred this writ appeal:

"8. Having regard to the submissions of the learned counsel on either side and upon consideration of the material available on record, this Court is of the view that the petitioner's vehicle was seized without following the due procedure contemplated under law and that the official respondents ought to have resorted to the procedure prescribed under law by issuing appropriate notices and by filing the necessary charge sheet before the competent Trial Court. Inasmuch as the petitioner has chosen not to contest the said purported action of the official respondents, this Court deems it appropriate to direct the 4th respondent to release the petitioner's vehicle upon obtaining an undertaking from the petitioner to appear before the competent Trial Court as and when required and to produce the vehicle before the said Court. Till such time, the petitioner is directed not to alter the nature or features of the vehicle in any manner.

9. With the above observations, the Writ Petition is disposed of.
There shall be no order as to costs."

4. It is obvious from a perusal of the prayer and upon consideration of the rival submissions of the parties that the subject matter of the *lis* is in the domain of criminal law, whether under the Motor Vehicles Act, 1988 and the Rules framed thereunder or under the Hyderabad City Police Act, 1348-F. As such the writ appeal under Clause 15 of the Letters Patent jurisdiction of this Court is not maintainable.

5. Accordingly, the Writ Appeal is dismissed on grounds of maintainability.
There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

SD/- A.V.S. PRASAD
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. One CC to SRI RAJENDER KHANNA, Advocate. [OPUC]
2. Two CCs to GP FOR HOME High Court for the State of Telangana, at Hyderabad [OUT]
3. Two CD Copies.

BSK

GJP

Ks

HIGH COURT

DATED: 22/04/2026

JUDGMENT

WA.No.305 of 2026

**DISMISSING THE WRIT APPEAL
WITHOUT COSTS**



6 copies
K
2/5/26