

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

THURSDAY ,THE TWELFTH DAY OF MARCH

TWO THOUSAND AND TWENTY SIX

:PRESENT:
THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WRIT PETITION NO: 7622 OF 2026

Between:

Kola Srinu, S/o Kola Ramulu.

Petitioner

AND

1. The State of Telangana, Rep by its Principal Secretary, Prohibition and Excise Department, T.S. Secretariat Buildings, Hyderabad.
2. The Commissioner, Prohibition and Excise Department, Hyderabad, Telangana.
3. The Deputy Commissioner, Prohibition and Excise Department, Warangal Division.
4. The Station House officer, Prohibition and Excise Station, Thorrur.

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 writ, direction or order more particularly one in nature of writ of mandamus under Article 226 of Constitution of India declaring the action of Respondent No.2 in not disposing petitioner Appeal dated 13-02-2026 and the Respondent No.3 in not considering petitioner's representation dated 15-12-2025 and in not issuing any notice to him while conducting auction for him vehicle bearing No.TS24 F 0796 in connection with COR No.185 of 2025 as illegal, arbitrary and violative of Articles 14, 16 and 21 of Constitution of India and consequently direct the Respondents to release petitioner vehicle (Maruthi Suzuki Swift Desire car) bearing No.TS24 F 0796 bearing No.TS24 F 0796 pending disposal of the appeal dated 13-02-2026 before the Respondent No.2 in the interest of justice.

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to

grant interim custody of the vehicle (Maruthi Suzuki Swift Desire car) bearing No.TS24 F 0796, pending disposal of WP 7622 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Ms DEVARA SAMHITHA Advocate for the Petitioner, Mr. R.Laxmikanth Reddy, Assistant Government Pleader for Prohibition and Excise, for the Respondents, the Court made the following.

ORDER

Notice before admission.

Mr. R.Laxmikanth Reddy, learned Assistant Government Pleader for Prohibition and Excise, takes notice for respondent Nos.1 to 4, waives further notice and seeks time to get instructions.

Learned Assistant Government Pleader for Prohibition and Excise on instructions would submit that the Prohibition and Excise Sub-Inspector, STF Hyderabad, on 15.04.2025 at 6:45 A.M, conducted route watch at outskirts of Vellikatte Village, Thorrur Mandal, stopped and searched the petitioner's vehicle i.e., Maruthi Suzuki Swift Desire B.No.TS 24 F 0796 and found (05) Liters of ID Liquor, (400) Kgs of Black Jaggery and (100) Kgs of Alum, and registered a case in COR No.185 of 2025 dated 15.04.2025 under Sections 7(A) r/w 8(e) of Telangana State Prohibition Act, 1955/34(e) of Telangana State Excise Act, 1968. Learned Assistant Government Pleader further submits that a show cause notice has been issued to the owner of the vehicle *vide* Cr.No.529/2025/PE/B4 dated 26.05.2025 and the said notice has been sent through registered post dated 08.07.2025 and the same was delivered to the owner of the vehicle on 16.07.2025. Learned Assistant Government Pleader further submits that the chemical analysis report reveals that the illicitly distilled liquor is unfit for human consumption and injurious to health and the Deputy Commissioner of Prohibition and Excise, Warangal has issued confiscation orders on 04.08.2025 and the same has been sent through registered post dated 22.08.2025 and delivered to the owner of the vehicle on 23.08.2025. Thereafter, made over orders were issued on 07.11.2025 to DPEO Mahabubabad for auction of the vehicle and the vehicle is ready for auction.

Learned counsel for the petitioner submits that the petitioner is the owner of the said vehicle and is not arrayed as accused in the said crime. Learned counsel further submits that though the vehicle has already been confiscated, copy of the COR has not been furnished to the petitioner.

Except stating that the petitioner is not an accused in the said crime, the petitioner has not has not been enclosed copy of the said crime to this writ petition. A perusal of the written instructions would reveal that confiscation orders dated 04.08.2025 have been passed by the Deputy Commissioner of Prohibition and Excise, Warangal and the same were delivered to the petitioner on 23.08.2025 and it is sufficient to establish that the petitioner has been served with the notice. It is a matter on record that the petitioner has filed an Appeal under Section 46 of the Telangana Excise Act, 1968 r/w Section 13 of the Telangana Prohibition Act, 1995 before respondent No.2.

Since the petitioner has preferred an Appeal before respondent No.2 and the same is pending, conducting auction of the said vehicle would ultimately curtail the rights of the petitioner against the confiscation orders and would amount to ceasing the rights of the petitioner to agitate his rights in the Appeal.

In view of the above, respondent No.2 is directed to conduct appropriate proceedings on the Appeal filed by the petitioner and pass appropriate orders as expeditiously as possible. Respondent No.2 is further directed not to take any steps for conducting auction of the said vehicle.

List on 23.04.2026.

//TRUE COPY//

Sd/- L.VIJAYA LAKSHMI
ASSISTANT REGISTRAR



SECTION OFFICER

To,

1. The Principal Secretary, Prohibition and Excise Department, State of Telangana, T.S. Secretariat Buildings, Hyderabad. (by SPAD)
2. The Commissioner, Prohibition and Excise Department, Hyderabad, Telangana. (by SPAD)

3. The Deputy Commissioner, Prohibition and Excise Department, Warangal Division. (by SPAD)
4. The Station House officer, Prohibition and Excise Station, Thorrur. (by SPAD)
5. One CC to Ms. DEVARA SAMHITHA Advocate [OPUC]
6. Two CCs to GP FOR PROHIBITION AND EXCISE ,High Court at Hyderabad. [OUT]
7. One spare cc py
srt

HIGH COURT

EVVJ

DATED:12/03/2026

List on 23.04.2026

ORDER

WP.No.7622 of 2026

DIRECTION

