

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TWENTY FOURTH DAY OF JUNE

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION NO: 25489 OF 2013

Between:

1. Kandi Sujatha W/o. K. Ram Reddy
2. Kandi Ram Reddy S/o. Late K. Narasimha Reddy @ Narsimha

...Petitioners

AND

1. The State of Andhra Pradesh, Rep. by the Principal Secretary, Home, Secretariat, Hyderabad.
2. The State of Andhra Pradesh, Rep. by the Commissioner of Police, Cyberabad, Gachi Bowli, Cyberabad.
3. The Station House Officer, Kushaiguda Police Station, Cyberabad.
4. Bharat Karamchandani S/o Late B.C.Karamchandani, Occ Bank Manager, R/o. 302, Span Residency, 3rd Floor, Opp. Blood Bank, Narayanaguda, Hyderabad.
5. L.Venkat Reddy S/o. Vittal Reddy, Occ Business, R/o.8-30/6, Yapral Village, Malkajgiri Mandal, Ranga Reddy District.

...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 of mandamus, any other appropriate writ order or direction declaring the action of respondents more particularly that of respondent No.3 in not restoring the Tractor of the petitioner No.1 bearing Registration No.ABB 2945 in the condition in which it was seized on 21-10-2012 in connection with Cr.No.687 of 2012 is questioned in this writ petition as being arbitrary, illegal, violative of Articles 14, 19 (1) g, and 21 of Constitution of India and consequently direct the respondent No.3 to restore the Tractor bearing Registration No. ABB 2945 to the petitioner No.1 in which condition it was seized in connection with Cr.No.687 of 2012;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated: 18.10.2023 made herein and upon hearing the arguments of M/s. VIJAY B. PAROPAKARI Advocate for the Petitioners and Assistant GP FOR HOME for the Respondent Nos.1 to 3, the Court made the following.

ORDER:

Learned Government Pleader for Home placed on record notice dated 11.12.2023 calling upon the petitioner to receive the seized tractor. Photographs of the tractor have been annexed to the written instructions.

In view of the same, the petitioner is directed to approach the Station House Officer, Kushaiguda Police Station and take custody of the seized tractor bearing No.ABB 2945.

Learned counsel for the petitioner submitted that the tractor is in scrap condition and not useful for any purpose and requested the writ petitioner to be kept pending, as the petitioner is entitled to claim damages.

List on 15.07.2024.

Sd/- P.G. SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Station House Officer, Kushaiguda Police Station, Cyberabad (by RPAD).
2. One CC to M/s. VIJAY B. PAROPAKARI, Advocate [OPUC].
3. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad [OUT].
4. One spare copy

HIGH COURT

BVR,J

DATED:24/06/2024

LIST ON 15.07.2024

ORDER



WP.No.25489 of 2013

DIRECTION