

IN THE HIGH COURT FOR THE STATE OF TELANGANA

**AT HYDERABAD
(Special Original Jurisdiction)**

**THURSDAY, THE TWENTY THIRD DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 12896 OF 2026

Between:

Smt Rathod Divya, W/o Rathod Gopal, aged about 38 years, Occ: House Wife, R/o House No.603, Sy No.201, Jai Bhavani Nagar, Near Raithu Bazar, Hayathnagar, Vanasthalipuram, Ranga Reddy Dist.

...PETITIONER

AND

1. The State of Telangana, Rep by Principal Secretary, Consumer Affairs Food and Civil Supplies, T S Secretariat Buildings Hyderabad.
2. The District Collector, Civil Supplies, Rangareddy district
3. The Deputy Tahsildar, Civil Supplies O/o District Civil Supplies Office Rangareddy district.
4. The Assistant Civil Supply Officer,, Abdullapurmet, Rangareddy district
5. The Station House Officer,, Vanasthalipuram Police station, Rangareddy 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 order or direction more particularly one in nature of a Writ of mandamus or any other appropriate writ declaring the action of the respondents authorities in seizing the vehicle i.e., bearing number TG 07 U 8057, by registering a F.1.R. No. 682 of 2026, dated 08-02-2025 under Sec 318(4) BNS and Sec 7 of Essential Commodities Act, 1955 of P.S. Vanasthalipuram, and not releasing the

said vehicle in favour of the petitioner, even though the petitioner had not committed any irregularities or illegalities, is nothing but arbitrary, illegal, null and void and violative of principles of natural justice and also violative of Articles 14, 19 and 21 of the Constitution of India, the same may be set aside. Consequently, direct the respondents authorities to release the vehicle i.e., TG 07 U 8057, in favour of the petitioner seized in F.I.R. No. 682 of 2026, dated 11-04-2026 of P.S. Vanasthalipuram.

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 direct the respondents authorities to release the vehicle i.e., TG 07 U 8057, in favour of the petitioner seized in F.I.R. No. 682 of 2026, dated 11-04-2026 under Sec 318(4) BNS and Sec 7 of Essential Commodities Act, 1955 of P.S. Vanasthalipuram in pending disposal of the writ petition.

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 take this matter W.P.No.12896 of 2026 as For Being Mentioned to correct in the order dated. 23.04.2026 as in the page No.5 in para No.6(c) 8th line of subject to the petitioner furnishing bank guarantee by way of fixed deposit for a sum of Rs.50,000/- (Rupees Fifty Thousand only) in favour of respondent No.2 instead of respondent No.5.

Counsel for the Petitioner: SRI. NAMBI KRISHNA

Counsel for the Respondents No 1 to 4: AGP FOR CIVIL SUPPLIES

Counsel for the Respondent No 5: GP FOR HOME

The Court made the following: ORDER

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

HON'BLE MRS. JUSTICE SUREPALLI NANDA

WRIT PETITION No.12896 OF 2026

DATE: 23.04.2026

Between :

Rathod Divya

... Petitioner

A ND

The State of Telangana,
Rep. by its Principal Secretary,
Consumer Affairs Food and Civil Supplies
TS Secretariat Buildings, Hyderabad
and 4 others

... Respondents

ORDER

**Heard Sri Nambi Krishna, learned counsel
appearing on behalf of the petitioner, learned
Assistant Government Pleader for Civil Supplies,
appearing on behalf of respondent Nos.1 to 4 and
learned Assistant Government Pleader for Home,
appearing on behalf of respondent No.5.**

2. The petitioner approached the Court seeking prayer as under:

"...to ... a writ order or direction more particularly one in nature of a Writ of mandamus or any other appropriate writ declaring the action of the respondents authorities in seizing the vehicle i.e., bearing number TG 07 U 8057, by registering a F.I.R. No. 682 of 2026, dated 08-02-2025 under Sec 318 (4) BNS and Sec 7 of Essential Commodities Act, 1955 of P.S. Vanasthalipuram, and not releasing the said vehicle in favour of the petitioner, even though the petitioner had not committed any irregularities or illegalities, is nothing but arbitrary, illegal, null and void and violative of principles of natural justice and also violative of Articles 14, 19 and 21 of the Constitution of India, the same may be set aside. Consequently, direct the respondents authorities to release the vehicle i.e., TG 07 U 8057, in favour of the petitioner seized in F.I.R. No. 682 of 2026, dated 11-04-2026 of P.S. Vanasthalipuram and pass..."

3. The case of the petitioner in brief as per the averments made in the affidavit filed by the petitioner in support of the present Writ Petition is as under:-

Petitioner is the owner of the DCM vehicle bearing No. TG07U8057. Respondent No.5 seized the said DCM vehicle

bearing No. TG07U8057 on the allegation that one person was loading PDS rice into the said DCM vehicle bearing No. TG07U8057 and found 250 bags of PDS rice approximately 200 quintals (20 tonnes) and the person confessed that he purchased PDS rice from public and selling the same to poultry farms for higher prices and respondent No.5 seized the said DCM vehicle bearing No. TG07U8057 by registering the FIR No.682 of 2026 of PS Vanasthalipuram. Aggrieved by the same, the petitioner had approached this Court by filing the present writ petition.

PERUSED THE RECORD:

DISCUSSION AND CONCLUSION:

4. The learned counsel appearing on behalf of the petitioner mainly puts forth the following submissions:

(i) The petitioner is the registered owner of the DCM vehicle bearing No. TG07U8057 which was seized by respondent No.5 on 11.04.2026 by registering FIR No. 682 of 2026 under the provisions of 318 (4) of BNS and Section 7 of Essential Commodities Act, 1955.

(ii) The vehicle has remained in the custody of the respondent No.5 since 11.04.2026.

(iii) The petitioner is a woman and depends solely on the said DCM vehicle bearing TG07U8057 for livelihood. The petitioner seeks interim custody of the subject vehicle on certain specific terms and conditions in accordance to law.

(iv) The learned counsel appearing on behalf of the petitioner submits that the subject issue is squarely covered by the order of this Court dated 04.12.2025 passed in W.P. No.36575 of 2025.

Based on the aforesaid submissions, the learned counsel appearing on behalf of the petitioner submits that the petitioner is entitled for the relief as prayed for in the present writ petition.

5. The learned Assistant Government Pleader for Civil Supplies, appearing on behalf of respondent Nos.1 to 4 and learned Assistant Government Pleader for Home, appearing on behalf of respondent No.5 do not dispute the said

submission made by the learned counsel appearing on behalf of the petitioner.

6. Taking into consideration :

(a) The aforesaid facts and circumstances of the case,

(b) The submissions made by the learned counsel appearing on behalf of the petitioner and the learned Assistant Government Pleader for Civil Supplies, appearing on behalf of respondent Nos.1 to 4 and learned Assistant Government Pleader for Home, appearing on behalf of respondent No.5.

(c) The order of this Court dated 04.12.2025 passed in W.P. No.36575 of 2025,

The writ petition is disposed of in terms of orders of this Court dated 04.12.2025 passed in W.P. No.36575 of 2025, directing the respondents to release the DCM vehicle bearing No.TG07U8057 subject to the petitioner furnishing bank guarantee by way of fixed deposit for a sum of Rs.50,000/- (Rupees Fifty Thousand only) in favour of respondent No.2 and

also upon the petitioner furnishing an undertaking that petitioner will not alienate the subject vehicle or alter its nature or create any encumbrance on it. The release of the vehicle shall be subject to the outcome of the confiscation proceedings under Section 6-A of the Essential Commodities Act, 1955. There shall be order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

Note: That the direction at the last line of page "5" read as "Respondent No.5" in the order dated 23.04.2026 in W.P.No.12896 of 2026 is corrected and substituted as "Respondent No.2" as per the orders of Hon'ble Court dated 05.05.2026 in I.A No. 2 of 2026.

**Sd/-M. OSMAN ALI BAIG
ASSISTANT REGISTRAR**

//TRUE COPY//



To,

SECTION OFFICER

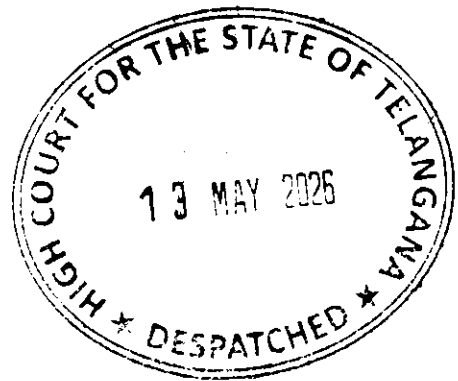
1. The Principal Secretary, Consumer Affairs Food and Civil Supplies, State of Telangana, T S Secretariat Buildings Hyderabad.
2. The District Collector,, Civil Supplies Rangareddy district
3. The Deputy Tahsildar,, Civil Supplies o/o District Civil Supplies Office Rangareddy district.
4. The Assistant Civil Supply Officer,, Abdullapurmet, Rangareddy district
5. The Station House Officer,, Vanasthalipuram Police station, Rangareddy district.
6. One CC to SRI. NAMBI KRISHNA, Advocate [OPUC]
7. Two CCs to GP FOR CIVIL SUPPLIES, High Court for the State of Telangana, at Hyderabad [OUT]
8. Two CCs to GP FOR HOME ,High Court for the State of Telangana At Hyderabad. [OUT]
9. Two CD Copies

DAN

HIGH COURT

CC TODAY

DATED: 23/04/2026
● **05.05.2026**



ORDER

WP.No.12896 of 2026

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

(13) MT
13/5/26