

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

THURSDAY, THE SIXTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 27620 OF 2017

Between:

Smt. Samala Anuradha, W/o S. Balanarasaiah, Aged 46 Years, Occ
Business, R/o. H. No. 5-115, Biknoor Mandal, Kamareddy, Nizamabad
District- 503101.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue
(Excise)Department, Secretariat Buildings, Hyderabad
2. The Deputy Commissioner, Proh. and Excise, Sagnareddy Division,
Sangareddy District.
3. The Station House Officer, Prohibition and Excise Station Zaheerabad,
Sangareddy 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 an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent No. 2 and 3 to releasing the vehicle bearing Registration No. AP-16-W-0844, seized in C.O.R. No. 173 of 2017, inspite of petitioners readiness to furnish the third party surety, as being illegal, arbitrary and unjust and consequently by allowing him to furnish third party surety and to grant such other relief or reliefs as this Hon'ble Court may deems fit and proper in the circumstances of the case.

I.A. NO: 2 OF 2017(WPMP. NO: 34317 OF 2017)

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 No.2 and 3 to Release the petitioner's vehicle bearing Registration No. AP-16-W-0844, (Model 1996) seized in C.O.R. No. 173 of 2017 value of Rs. 75,000/- by allowing the petitioner to furnish the third party surety, pending disposal of the Writ Petition.

I.A. NO: 1 OF 2017(WVMP. NO: 4414 OF 2017)

Between:

1. The State of Telangana, Rep. by its Principal Secretary, Revenue (Excise) Department, Secretariat Buildings, Hyderabad
2. The Deputy Commissioner, Proh. and Excise, Sangareddy Division, Sangareddy District.
3. The Station House Officer, Prohibition and Excise Station Zaheerabad, Sangareddy District.

...PETITIONERS/RESPONDENTS

AND

Smt. Samala Anuradha, W/o S. Balanarasaiah, Aged 46 Years, Occ Business, R/o. H No. 5-115, Biknoor Mandal, Kamareddy, Nizamabad District- 503101.

...RESPONDENT/PETITIONER

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 vacate the Interim orders granted in WPMP.No. 34317/2017 in WP.No. 27620 /2017 dt: 21.08.2017.

Counsel for the Petitioner: SRI BABUJI TENNETI

Counsel for the Respondents: AGP FOR PROHIBITION & EXCISE

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION No.27620 of 2017

ORDER:

Heard learned counsel appearing for the petitioner and learned Assistant Government Pleader for Excise appearing for respondent Nos.1 to 3.

2. This writ petition has been filed questioning the action of respondent Nos.2 and 3 in not releasing the vehicle bearing Registration No.AP-16-W-0844 seized in C.O.R.No.173 of 2017, inspite of the petitioner's readiness to furnish the third party surety as being illegal, arbitrary and unjust and seeking a consequential prayer to allow to respondent authorities to furnish third party surety.

3. This Court by order dated 21.08.2017 in W.P.M.P.No.34317 of 2017 has passed the following order:

"There shall be interim direction, as prayed for, subject to condition of petitioner depositing a sum of Rs.1,00,000/- (rupees one lakh only) in favour of the third respondent by way of FDR. It is also made clear that the FDR, which is directed to be made, shall be subject to the result of the final orders that may be passed in the main Writ Petition."

4. Learned counsel for the petitioner submits that subsequent to the orders passed by this Court on 21.08.2017 in W.P.M.P.No.34317 of 2017, the vehicle has been released and the cause in the present writ petition does not survive for further adjudication.

5. A counter is filed by respondent No.3 and would submit that the respondent No.2 complied the orders of the High Court in W.P.M.P.No.34317 of 2017 in W.P.No.27620 of 2017 and had released the petitioner's vehicle on interim custody. It is further submitted that the petitioner is having alternative remedy to file an appeal before the Commissioner.

6. Recording the submissions made by learned counsel on either side, this writ petition is closed. No order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

//TRUE COPY//

Sd/-A.SRINIVAS REDDY
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. One CC to SRI BABUJI TENNETI, Advocate [OPUC]
2. Two CCs to GP FOR PROHIBITION & EXCISE, High Court for the State of Telangana at Hyderabad . [OUT]
3. Two CD Copies

PMK
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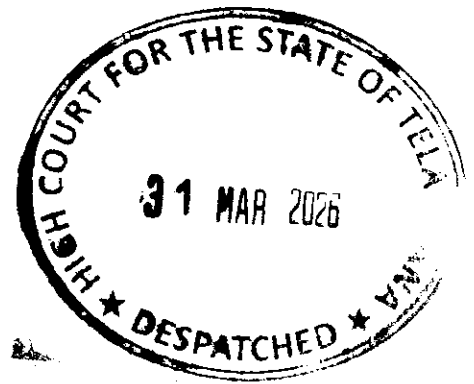
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HIGH COURT

DATED:06/11/2025

ORDER

WP.No.27620 of 2017



**CLOSING THE WRIT PETITION
WITHOUT COSTS**

⑥ copies

J/D

dt 17/3/26