



2025:TSHC:57835
[3255]

**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: 35888 OF 2017

Between:

M. Nagaraju, s/o M.Veeraswami, aged about 24 years, occ Kirana Shop,
H.No. 1-152, Venkatapur, Jayashanker Bhupalpally District

...PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary, Home Department, Secretariat, Hyderabad.
2. The Deputy Commissioner of Proh. and Excise, Warangal.
3. The Station House Officer, Athmakur Police Station, Warangal 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 3rd respondent in not releasing the stocks., i.e., 68 bags of white jaggery each containing 18 Kgs., total 1224 Kgs., seized in Cr.No. 194 of 2017 inspite of the the readiness of the petitioner to furnish the third party surety, as being illegal, arbitrary and unjust, and consequently direct the 2nd respondent to release the above said stocks.

I.A. NO: 1 OF 2017(WPMP. NO: 44596 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 3rd respondent herein to forthwith release the stocks., i.e., 68 bags of white jaggery each containing 18 Kgs., total 1224 Kgs., worth of Rs. 20,000/-



seized in Cr.No. 194 of 2017 by permitting the petitioner to furnish third party surety before the court of learned I Addl. Judicial First Class Magistrate at Warangal, pending disposal of the main Writ Petition. 2025:TSHC:57835

Counsel for the Petitioner: SRI YADIAH BODDUPALLY

Counsel for the Respondent No.1 & 2: GP FOR PROHIBITION & EXCISE

Counsel for the Respondent No.3: GP FOR HOME

The Court made the following: ORDER



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HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION No.35888 OF 2017

ORDER:

Today when the matter has been taken up for hearing, learned counsel for the petitioner submits that due to efflux of time, the cause in the writ petition does not survive for further adjudication.

2. In view of the submission made by the learned counsel for the petitioner, this writ petition is dismissed as infructuous.

3. Miscellaneous applications, if any pending, shall stand closed. No order as to costs.

**SD/-A. JAYASREE
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI YADIAH BODDUPALLY, Advocate [OPUC]
2. Two CCs to GP FOR HOME, High Court for the State of Telangana. [OUT]
3. Two CCs to GP FOR PROHIBITION & EXCISE, High Court for the State of Telangana. [OUT]
4. Two CD Copies
BN
BS

[Signature]



2025:TSHC:57835

HIGH COURT

DATED:06/11/2025

ORDER

WP.No.35888 of 2017



**DISMISSING THE WRIT PETITION
AS INFRACTUOUS
WITHOUT COSTS**

8 copies

By
02/02/2026