

**THE HONOURABLE SRI JUSTICE D.RAMESH**

**WRIT PETITION No.8424 of 2023**

**ORDER:**

Heard learned counsel for the petitioners, learned Government Pleader for Civil Supplies and the learned Government Pleader for Home and perused the record.

02. Learned counsel for the petitioners submits that the petitioners are the owners of the vehicles bearing Nos. AP04-TT-4980 and AP24-TB-7764. On 10.02.2023, the 4<sup>th</sup> respondent and the Vigilance & Enforcement, inspected the said vehicles at Muddanuru-Tadipatri Main Road, on western side of Yamavaram Village, near Peddamma Temple, Muddanuru Mandal, YSR District, and found 82 bags of rice and alleging that the said rice is PDS rice, seized the said stock along with the said vehicles under cover of Panchanama, dated 10.02.2023, in the presence of the mediators.

03. Learned counsel for the petitioners further submits that aggrieved by the seizure of the vehicles, the

petitioners filed the petition dated 17.02.2023 before the 2<sup>nd</sup> respondent seeking release of the seized vehicles pending confiscation proceedings, but the 2<sup>nd</sup> respondent did not pass any order so far. Aggrieved by the same, the present Writ Petition is filed.

04. Learned Government Pleader appearing for the respondents submits that release of the vehicles for interim custody pending confiscation proceedings, the 2<sup>nd</sup> respondent has to get valuation of the vehicles from the concerned R.T.A. Department officials and after ascertaining the value of the vehicles, it will be informed to the petitioners and the petition of the petitioners will be considered in accordance with law.

05. Having heard the respective counsel and upon perusal of the material available on record, in the considered view of this Court, keeping the vehicles in the police station is not useful either to the petitioners or the respondents as there is every possibility for damage of the vehicles to the exposure to sun and rain and the vehicle will lose roadworthiness after some days. To protect the

interest of the parties, it is appropriate to dispose of the Writ Petition with the following direction:

i) the 2<sup>nd</sup> respondent is directed to consider and pass appropriate orders on the petition dated 17.02.2023 submitted by the petitioners for interim custody of the vehicles pending confiscation proceedings by taking immovable property security equivalent to the value of the seized stock in the respective vehicles from the petitioners within a period of one (1) week from the date of submission of the said security.

06. There shall be no order as to costs.

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

Date : 17.04.2023  
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