APHC010351172026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3329]**
(Special Original Jurisdiction)

FRIDAY, THE 10th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 18822/2026

Between:

1. MINDALA VINOD, .S/O. SUBBARAO, AGED 44 YEARS, OCC. BUSINESS, R/O. 5-102, VTC TAKKELLAPADU, GUNTUR DISTRICT, ANDHRA PRADESH- 522509

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS. PRINCIPAL SECRETARY, MINES AND GEOLOGY DEPARTMENT, SECRETARIAT BUILDINGS AT VELAGAPUDI, GUNTUR DISTRICT, ANDHRA PRADESH. - 522413
2. THE DISTRICT MINES AND GEOLOGY OFFICER, GUNTUR DISTRICT, ANDHRA PRADESH. - 522413
3. THE STATION HOUSE OFFICER, NALLAPADU POLICE STATION, GUNTUR DISTRICT, ANDHRA PRADESH.-522005

...RESPONDENT(S):

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 topleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of respondents in seizing the Tipper Lorries bearing No. AP 26 TL5557 of the Petitioner without following any procedure under statutes as illegal, arbitrary and violative of the procedure contemplated under the A.P. Minor Mineral Concession Rules, 1966 and provisions of the Mines and Minerals (Development and

Regulation) Act, 1957, and the rules made there under apart from being - violation of Article 14, 19(1)(g) and 300-A of Constitution of India and consequently direct the respondents to release the vehicles of the petitioner from their custody and pass

IA 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 pleased to direct the 2nd and 3rd respondents to grant interim custody of the Tipper Lorries bearing No. AP 26 TL5557, of the petitioner, pending disposal of the above writ petition and pass

Counsel for the Petitioner:

1. RAJA DAMOJI RAO

Counsel for the Respondent(S):

1. GP FOR HOME
2. GP FOR MINES AND GEOLOGY

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION No.18822 OF 2026

ORDER:-

This writ petition is filed under Article 226 of the Constitution of the India seeking the following relief:-

> *"to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in seizing the Tipper Lorries Bearing No.AP 26 TL 5557 without following any procedure under statues as illegal, arbitrary and violative of the procedure contemplated under the A.P. Minor Mineral Concession Rules, 1966 & provisions of the Mines and Minerals (Development & Regulation) Act, 1957, and the rules made there under apart from being violation of Articles 14, 19(1)(g) and 300-A of Constitution of India and consequently direct the respondents to release the vehicles of the petitioner from their custody and pass such other order or orders…"*

2. Heard learned counsel for the petitioner and learned Assistant Government Pleader for Mines and Geology appearing for the respondents.

3. Learned counsel for the petitioner submits that the respondent authorities seized the vehicle belonging to the petitioner without authority of law and in violation of the provisions of Sub-Rule (3)(iii) of Rule 26 of the Andhra Pradesh Minor Mineral Concession Rules, 1966. Learned counsel for the petitioner further submits that a direction may be given to the respondent authorities to pass appropriate orders for the release of the vehicle, for which, she relied on the decision of this Court passed in W.P.No.32021 of 2025, dated 18.11.2025.

4. Learned Assistant Government Pleader for Mines and Geology appearing for the respondents did not refute the submission made by the learned counsel for the petitioner since the issue involved in this writ petition is squarely covered by an earlier decision of this Court.

5. Considering the submissions made and with consent of learned counsel for both the parties, this Court is inclined to dispose of the writ petition at the stage of admission.

6. In the result, the writ petition is disposed of, directing the respondent authorities to pass orders in terms of Sub-Rule (3)(iii) of Rule 26 of the Andhra Pradesh Minor Mineral Concession Rules, 1966 and collect the due seigniorage fee and penalty as per law and release the vehicle bearing No. AP 26 TL 5557 seized by the respondent authorities, to the petitioner, within a period of one (01) week from the date of receipt of the copy of the order. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, shall also stand closed.

VENKATESWARLU NIMMAGADDA, J

Date:10.07.2026
BSP

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THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO.18822 OF 2026

Date:10.07.2026
BSP