

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.1471 OF 2015

ORDER

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This writ petition is filed for a writ of mandamus declaring the action of the respondents in seizing the petitioner's Tractor & Trailer bearing Nos.AP 35 U 1520 & AP 04 C 0822 without following due procedure of law, as illegal and arbitrary and for a consequential direction to the respondents to release the above said vehicles.

Today, when the matter is taken up for hearing, it is stated by the learned counsel for the petitioner that this Court in similar circumstances disposed of W.P.No.98 of 2015 by order dated 07.01.2015 and the same is not disputed by the learned Assistant Government Pleader for Home and learned Assistant Government Pleader for Panchayat Raj.

Following the same, this writ petition is disposed of directing the petitioner to submit a representation to the officer, who seized the vehicles and thereupon the said officer shall within three days from the date of receipt of the application examine whether the vehicles were used in committing the offence for the first or the second time, and, if so, consider directing release of the vehicles on payment of the prescribed penalty and also on execution of a bond in accordance with Rule 18 (vii), being executed by the owner of the vehicles for their production as and when directed by the competent Court to which such seizure was reported by the Officer who seized the vehicles.

The entire exercise, culminating in an order being passed shall be completed within three days from the date of submission of the representation by the petitioner; and necessary action shall be taken for release of the vehicle, in case falling within the ambit of Rule 18 (i) (a), on payment of the prescribed penalty; and in, other case, on

bond being executed in terms of Rule 18(vii) of the Rules. There shall be no order as to costs.

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

A.RAJASHEKER

REDDY,J

Date: 29.01.2014

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