

THE HON'BLE SRI JUSTICE A. RAJASEKHAR REDDY

WRIT PETITION No.4940 of 2015

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Between:

L. Rajeshwar Rao

PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary,
Panchayat Raj Department, Secretariat Building, Hyderabad,
and others.

RESPONDENTS

ORDER:

This writ petition is filed challenging the seizure of the petitioner's Tractor bearing No.AP 15 UKTR 7568, as illegal and arbitrary and for consequential direction to 2nd and 4th respondents to release the petitioner's vehicle by collecting penalty.

Heard learned counsel for the petitioner and learned Government Pleader for Mines and Geology.

It is stated by the learned counsel for the petitioner that in similar circumstances, this Court disposed of W.P.No.3747 of 2015 dated 23.02.2015 with some observations and the same has not been disputed by the learned Assistant Government Pleader for Mines and Geology.

In view of the same, the writ petition is disposed of directing the petitioner to submit an application for release of vehicle before the competent authority and the competent authority, within three days from the date of receipt of the application, examine whether the vehicle is used in committing the offence for the first and second time; and, if so, consider directing release of the vehicle on payment of prescribed penalty. If, on the other hand, the vehicle is found to have used in commission of the offence, for three or more times, the officer concerned shall consider directing release of the vehicle after deposit of amount, in accordance with Rule 12 of G.O.Ms.No.15, dated 19.02.2015 and also on execution of bond along with an affidavit giving consent to produce the seized vehicle as and when required.

Accordingly, the writ petition is disposed of. No costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

A. RAJASEKHAR REDDY, J.

02nd March, 2015

Js.