

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.42166 of 2015

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Date: 29.12.2015

Between:

Kammari Suresh and another

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Petitioners

and

The State of Telangana,
represented by its Principal Secretary,
Home Department,
Hyderabad and 3 others

.. Respondents

Counsel for the petitioner: Mr.K.Laxmaiah
for Mr.V.Brahmaiah
Chowdary

Counsel for respondent Nos.1 & 2: AGP for Home (TS)

Counsel for respondent No.3: AGP for Mines &
Geology (TS)

Counsel for respondent No.4: AGP for Revenue (TS)

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The Court made the following:

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Order:

This Writ Petition is filed for a Mandamus to declare the action of respondent No.2 in seizing the petitioners' goods carriages (Lorries) bearing registration Nos.AP 29 V 5199 and AP 37 T 4340 respectively, on the ground that the same were used for illegal transportation of sand, as illegal and arbitrary. The petitioners sought for a consequential direction to the respondents to release the seized vehicles.

The petitioners pleaded that they have made an application, dated 21.12.2015, to respondent No.2, who is the competent authority, for release of the seized vehicles. The petitioners' grievance is that no action has been taken by respondent No.2 on their application so far.

At the hearing, it is submitted by the learned Counsel for both parties that as per G.O.Ms.No.3, Industries & Commerce (Mines-I) Department, dated 08.01.2015, as amended by G.O.Ms.No.15,

Industries & Commerce (Mines-I) Department,
dated 19.02.2015, respondent No.2, who is stated
to have seized the vehicles, is competent to
release the same.

Since the petitioners have already submitted
their application for release of the seized vehicles
before respondent No.2 on 21.12.2015, the latter is
directed to consider the same, if received, and pass
appropriate order thereon as per the
aforementioned G.Os., within a period of one week
from the date of receipt of this order.

Subject to the above directions, the Writ
Petition is disposed of.

As a sequel to disposal of the Writ Petition,
W.P.M.P.No.54378 of 2015, filed by the petitioners
for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 29th December, 2015
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