

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.5467 of 2015

ORDER:

This writ petition is filed for a *Mandamus* declaring the action of the respondents in seizing the petitioner's Lorry bearing No. AP 31TB 2366 without following any procedure as contemplated under the law as illegal, arbitrary and violative of principles of natural justice and for a consequential direction to the respondents to release the said vehicle for interim custody to the petitioner forthwith.

2. It is represented by the learned counsel for the petitioner that in similar circumstances, this Court has disposed of W.P.No.4446 of 2015 on 26.02.2015 giving certain directions and that the present case is covered by the said judgment, which is not disputed by the learned Assistant Government Pleader for Panchayat Raj (Andhra Pradesh), Assistant Government Pleader for Revenue and Assistant Government Pleader for Home.

3. In view of the above submission and for the reasons alike in the aforesaid order dated 26.02.2015 in W.P.No.4446 of 2015, and also in view of the fact that the petitioner has valid transit way bill in his favour, it is for the petitioner to make appropriate application to the 3rd respondent along with copy of the transit way bill and the 3rd respondent-Tahsildar, Pendurthi Mandal, Visakhapatnam District, may, after satisfying with genuineness of the copy of the transit way bill, consider the same and pass appropriate orders for release of

the subject lorry and if the 3rd respondent is not satisfied, the vehicle may be released in accordance with the norms laid down in G.O.Ms.No.95, dated 28-08-2014 after imposing prescribed penalty provided therein.

Accordingly, the writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A. RAJASHEKER REDDY, J

Date: 06-03-2015
kvs

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