

HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.34184 of 2015

Date: 14.10.2015

Between:

Dobbali Raju, s/o Sayappa, Aged 32 years,

Occu: Owner of the vehicle bearing No.AP 22 AL 6385-

Tractor and trailer No.AP 22 AL 6386,

R/o. Vellampalli Village, Utkoor Mandal,

Mahaboobnagar District and four others.

.... Petitioners

AND

The State of Telangana,

Rep. by its Principal Secretary to

Home Department, Secretariat buildings,

Hyderabad and others

.. Respondents

The Court made the following:

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ORDER:

Questioning the action of the respondents in seizing the petitioners vehicles bearing registration Nos.AP 22 AL 6385-AP 22 AL 6386; AP 27 D 2640-AP 27 D 2639; AP 22 X 3947-AP 22 TA 3124; TS 06 EA 2660-TS 06 EA 2661; and TS 06 ED 6596-TS 06 ED 6557, without following the due procedure, petitioners filed the present writ petition.

2 . It is represented by the learned counsel for the petitioners that in similar circumstances, this Court has disposed of W.P.No.3747 of 2015 on 23.02.2015 giving certain directions and that the present case is covered by the said judgment, which is not disputed by the learned Assistant Government Pleaders appearing for the respondents.

3. In view of the said representation, following the said judgment, the Writ Petition is disposed of directing the petitioners to submit their applications for release of their respective vehicles before the competent authority and the competent authority shall, within three (3) days from the date of receipt of such applications, examine whether the vehicles are used in committing the offence for the first and second time; and if so, consider directing release of the vehicles on payment of the prescribed penalty. If, on the other hand, the vehicles are found to have been used in commission of the offence, for three or more times, the officer concerned shall consider directing release of the vehicles after deposit of amount in accordance with Rule-12 of G.O.Ms.No.15, Industries and Commerce (Mines-I) Department, dated 19.2.2015, and also on execution of bond along with an affidavit giving consent to produce the seized vehicles as and when required. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 14.10.2015

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