

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

Writ Petition No.42317 of 2015

–
Date: 29.12.2015

Between:

Pasala Nagavalli

..

Petitioner

and

The State of Andhra Pradesh,
represented by its Principal Secretary,
Panchayat Raj Department,
Hyderabad and 3 others

.. Respondents

Counsel for the petitioner: Mr.K.Naveen Kumar

**Counsel for respondent No.1: AGP for Panchayat Raj
(AP)**

Counsel for respondent Nos.2 & 3: AGP for Revenue

Counsel for respondent No.4: AGP for Home

–
The Court made the following:

–

-

-

Order:

This Writ Petition is filed for a Mandamus to declare the action of the respondents, in seizing the lorry bearing registration No.AP 31 TU 1556 without following the due process of law, as illegal and arbitrary.

At the hearing, the learned Assistant Government Pleader for Home (AP), on instructions, submitted that the lorry in question was seized for illegal transportation of sand on 14-12-2015 and that FIR No.302 of 2015 was registered by respondent No.4 immediately thereafter. He has further submitted that on the very same day, on which the lorry was seized, respondent No.4 has produced the same before the IV Metropolitan Magistrate, Visakhapatnam, and that the same is in judicial custody.

In the light of the above facts, the only remedy available to the petitioner is to approach the jurisdictional Magistrate seeking release of the

seized lorry.

Hence, the Writ Petition is disposed of with liberty to the petitioner to avail the remedy as indicated above.

As a sequel to disposal of the Writ Petition, WPMP.No.54586 of 2015, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 29th December, 2015
lur