

**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY**

**WRIT PETITION Nos.40700; 40729; 40733; 40734; 40741; 40751; 40768; 4078
40837 & 40864 of 2015**

COMMON ORDER: (per Hon'ble Sri Justice Ramesh Ranganathan)

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In all these Writ Petitions the detention of the vehicles, and the goods therein, are under challenge, among others, on the ground that the respondents have no authority to detain the vehicles under the Andhra Pradesh Value Added Tax Act, 2005. The vehicles are said to have been detained from 26.11.2015 till 17.12.2015. While the confiscation notice dated 28.11.2015 is under challenge in these Writ Petitions, the goods were subsequently confiscated by order dated 15.12.2015.

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Both Dr. T.Ramesh Babu, learned counsel for the petitioners, and Sri Sk.Jeelani Basha, learned Standing Counsel for Commercial Tax, would agree that, after the goods were confiscated, the vehicles were released on the night of 17.12.2015. Dr.T.Ramesh Babu, learned counsel for the petitioners, would, however, contend that the respondents should be directed to pay damages to the petitioners for the illegal detention of the vehicles, without authority of law, for a period of more than three weeks. The petitioners' claim for damages can be more appropriately examined in a civil suit filed before a competent Civil Court.

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It is open to the petitioners, if they so chose, to question the order of confiscation in appropriate legal proceedings, and to seek damages before a competent Civil Court for the alleged illegal detention of the vehicles for more than three weeks.

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The Writ Petitions are dismissed as infructuous as the cause therein no longer survives necessitating any adjudication by this

Court. Miscellaneous petitions, if any, pending shall also stand dismissed. There shall be no order as to costs.

RAMESH RANGANATHAN, J

M. SATYANARAYANA MURTHY, J

18th December, 2015
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