

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.39772 of 2015

Date:08.12.2015

Between:

Rangisetty Nagabhushanam,
S/o Venkateswarlu and three others.

..... Petitioners

And:

The State of A.P., repled., by its
Principal Secretary, Panchayat Raj and
Rural Development Department, Hyderabad
and two others.

.....Respondents

Counsel for the Petitioners: Mr. Kambhampati Ramesh
Babu

Counsel for Respondent No.1: AGP for Panchayat Raj (AP)
Counsel for Respondent No.2: AGP for Revenue (AP)
Counsel for Respondent No.3: AGP for Home (AP)

The Court made the following:

ORDER:

Feeling aggrieved by seizure of the lorries of the petitioners by respondent No.3 on 25.10.2015 and the inaction of respondent No.2 in disposing of their representations for release of the seized lorries, this Writ Petition is filed.

A perusal of the record shows that respondent

No.3 has registered a common F.I.R. bearing No.42 of 2015 on 25.10.2015 following the seizure of the petitioners' lorries on the allegation that they were being used for illegal transportation of sand. The petitioners claimed to have made separate representations on 01.12.2015 before respondent No.2 for release of the seized lorries in terms of G.O.Ms.No.95, Industries and Commerce (Mines-IV) Department, dated 28.8.2014.

The grievance of the petitioners is that in spite of the said representations, respondent No.2 has not considered the same and released the seized lorries.

Learned Assistant Government Pleader for Revenue (Andhra Pradesh), on instructions, submitted that so far, respondent No.3 has not submitted the seizure report to respondent No.2.

Learned Assistant Government Pleader for Home (Andhra Pradesh) is unable to state whether such representations have been forwarded to respondent No.3.

In the light of the above facts, respondent No.3 is directed to send the seizure report to respondent No.2, if they are not already sent, forthwith and not later than two days from today. Respondent No.2 is directed to consider the petitioners representations for release of the seized lorries and pass appropriate orders in terms of G.O.Ms.No.95, dated 28.8.2015, within three days from the date of receipt of the seizure report from respondent No.3.

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.51332 of 2015 shall stand disposed of as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

08th December, 2015

DR