

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION Nos. 14936, 14935 AND 14941 OF 2015

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COMMON ORDER:

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These three writ petitions are filed by their respective owners of vehicles bearing Nos.AP 04 TU 4975, AP 04 TU 3888 and AP 03 TA 7976 which are said to have been seized by respondent No.5, while transporting sand with valid delivery challan and gate pass issued by Mutually Aided Co-operative Society, T.Sundupalli Mandal, YSR District, Kadapa.

2. The petitioners submit that after seizure of the said vehicles, when the petitioners requested for release of the same, respondent No.5 has addressed appropriate communication to the Tahsildar as well as to the transport authorities namely respondent Nos.3 and 4. It is specifically alleged by the petitioners that the Project Director, District Rural Development Authority-Velugu, Kadapa vide his proceedings dated 06.05.2015 confirmed to the Tahsildar that each vehicle was carrying 14 cubic meters of sand under valid delivery challan and gate pass and that after verification of the same, the Tahsildar addressed a letter dated 11.05.2015 requiring respondent No.5 to take necessary action as he has already received the report from Area Coordinator, Rayachoti, after verification of the records. Further, the Transport Department also informed respondent No.5 through release order dated 12.05.2015 requesting him to release the vehicles to the concerned owners by taking appropriate acknowledgment. The petitioners' allegation is that in spite of the said orders and clearance by the transport department and the Tahsildar, respondent No.5 is not releasing the vehicles.

3. Learned Government Pleader submits, on instructions, that there are no clear instructions from the Tahsildar.

4. It is evident from the submissions made by the petitioners that the Project Director, D.R.D.A.-Velugu, Kadapa, has already informed about the delivery challan and gate pass for the stock carried out in each vehicle and the same appears to have been verified by the Tahsildar and further, the Transport Department also

directed to release the vehicles in question. Apparently, there was no crime registered against the petitioners or the said vehicles, even as on today and they appear to be carrying the stock of sand authorisedly.

5. In view of the above, the writ petitions are disposed of directing respondent No.5 to take further steps including release of the vehicles in terms of proceedings of the Tahsildar and the transport department referred to above, without any further loss of time.

6. Miscellaneous petitions, if any, pending in this writ petition, shall stand closed. No order as to costs.

VILAS V. AFZULPURKAR, J

Date: 28.05.2015

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