

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

CASE NO.WRIT PETITION No.19952 of 2015

Between:

M. Anjaneyulu Naidu,
S/o. Subba Ramaiah,
Aged 42 years, Occ: Business,
D.No.3/42, YBN Palli, Rajampet Town,
Kadapa District.

.. Petitioner

AND

The State of A.P.,
Rep. by its Principal Secretary,
Industries & Commerce (Mines-IV) Department,
Secretariat, Hyderabad & another

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 13.07.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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| 1 | Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes/No |
| 2 | Whether the copies of judgment may be marked to Law Reports/Journals | Yes/No |
| 3 | Whether His Lordship wish to see the fair copy of the Judgment? | Yes/No |

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.19952 of 2015

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ORDER:

When the matter was taken up for consideration on 02.07.2015, the writ petition was sought to be disposed of by granting liberty to the petitioner to submit an application before the Tahsildar, Madanapalli, Chittoor District, enclosing valid transport permit, delivery challan-cum-invoice, gate pass, ownership certificate of the vehicle, etc., for the purpose of seeking a prayer to release the vehicle.

2. The case of the petitioner is that he is the owner of goods transport vehicle bearing No.AP 26 TC 1888. He was transporting sand after obtaining valid permit on 02.06.2015, purchased from one S. Muralikrishna of Borlapalli, Madanapalli, with Rayavaram Sand Mining Women Mutually Aided Co-operative Society Limited, T. Sundupalli Mandal, Y.S.R. Kadapa District. He further contends that the said Society was issued delivery challan-cum-invoice and gate pass from the Rayavaram Sand Mining. When the vehicle of the petitioner was intercepted, the driver has shown valid permit. Ignoring the same, the vehicle was seized alleging that clandestinely the petitioner was transporting the sand. Challenging the seizure of the said vehicle, this writ petition is filed.

3. As seen from the record, the concerned Tahsildar is not made a party. Hence, permission was granted to the petitioner to

implead the Tahsildar, Madanapalli, Chittoor District, as third respondent. Though such permission was granted, the petitioner did not take steps to implead the Tahsildar as a respondent. Hence, the matter was taken up as 'for being mentioned'. Today, when the matter is called, the learned counsel for the petitioner submits that in the meantime, the vehicle is already surrendered to the Court. Therefore, the question of submitting a representation to the Tahsildar does not serve his purpose and that he will have to work out his remedies as available in law by filing appropriate petition before the competent Court.

4. Having regard to the said submission, the Writ Petition is disposed of granting liberty to the petitioner to file petition before the appropriate Court for release of vehicle bearing No.AP 26 TC 1888. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 13th July, 2015

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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