

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.9512 of 2015

Date: 07-04-2015

Between:

Boini Venkatesh and another

.. Petitioners

AND

The State of Telangana, represented by its
Principal Secretary, Home Department and
another

.. Respondents

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.9512 of 2015

ORDER:

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The writ petition is filed for a mandamus declaring the action of the 2nd respondent in seizing and detaining the petitioners tractor and trailley bearing No.AP-28-TE-7311 & AP-23-AC-5011 and Tractor No.AP-26-AS-8036 by registering a case in Crime No.34 of 2015 as illegal, arbitrary and violative of principles of natural justice and for a consequential direction to the 2nd respondent to release the said vehicles to the petitioners.

2. It is represented by the learned counsel for the petitioner that in similar circumstances, this Court has disposed of W.P.No.3747 of 2015 on 23-02-2015

giving certain directions and that the present case is covered by the said judgment, which is not disputed by the learned Assistant Government Pleader for Home.

3. In view of the said representation, following the said judgment, the writ petition is disposed of directing the petitioners to submit independent applications for release of their vehicles before the competent authority and the competent authority, within three days from the date of receipt of such application, examine whether the said vehicles are used in committing the offence for the first and second time; and if so, consider directing release of the vehicles on payment of the prescribed penalty. If, on the other hand, the vehicles are found to have been used in commission of the offence, for three or more times, the officer concerned shall consider directing release of the vehicles after deposit of amount in accordance with Rule-12 of GO.Ms.No.15, dated 19-02-2015 and also on execution of bond along with an affidavit giving consent to produce the seized vehicle as and when required.

Accordingly, the writ petition is disposed of. No order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A. RAJASHEKER REDDY, J

Date: 07-04-2015

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