

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.28433 of 2015

ORDER:

The grievance of the petitioner is as to the seizure and detention of his HGV Tipper bearing registration No.KA35B 5112.

Basing on the written instructions received from the mining and police authorities concerned, the learned Assistant Government Pleaders for Mines and Geology and Home informed this Court that the subject vehicle was seized in connection with illegal transportation of iron ore. Further, as per the directions of the Assistant Director of Mines and Geology, Ananthapuramu, under his letter dated 29.06.2015, the Station House Officer, Bommanahal Police Station, Ananthapuramu District, was stated to have kept the vehicle in his safe custody. It is further stated that in the event the petitioner makes an appropriate application, suitable action will be taken thereon in accordance with law.

In that view of the matter, this Court sees no purpose served in keeping this matter pending for want of counter-affidavits.

The writ petition is accordingly disposed of permitting the petitioner to make an appropriate application to the Assistant Director of Mines and Geology, Ananthapuramu, the third respondent, for release of his vehicle. Upon receipt of such application, the third respondent shall consider the same and take appropriate action in accordance with law. In this regard, it would be open to him to impose such conditions as are deemed fit and proper for release of the vehicle and for securing its production as and when required. This exercise shall be completed expeditiously and in any event, not later than four weeks from the date of receipt of the petitioner's application for release of his vehicle.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

17th November, 2015

IBL