

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.1756 OF 2015

ORDER

-

This writ petition is filed for a writ of mandamus declaring the action of the respondents in seizing the petitioners' Tractor & Trailer bearing Nos. AP 27 F 0103 & AP 27 F 0104, AP 16 BP 0270 & AP 16 BP 0272 and AP 20 N 8071 & AP 16 BD 8858 without following due procedure of law, as illegal and arbitrary and for a consequential direction to the respondents to release the above said vehicles.

Today, when the matter is taken up for hearing, it is stated by the learned counsel for the petitioners that this Court in similar circumstances disposed of W.P.No.38458 of 2014 by order dated 27.12.2014 and the same is not disputed by the learned Assistant Government Pleader for Home and learned Assistant Government Pleader for Panchayat Raj.

Following the same, in view of the amended Rule 9-Q (1) (i) and (ii), read with Rule 9-A (6), the petitioners are permitted to submit an application to the officer, who seized the vehicles and thereupon the said officer shall within three days from the date of receipt of the application examine whether the vehicles were used in committing the offence for the first and the second time, and, if so, consider directing release of the vehicles on payment of the prescribed penalty and also execution of a bond being executed by the owner of the vehicles for their production as and when directed by the Court.

The entire exercise, culminating in an order being passed shall be completed within three days from the date of submission of the representation by the petitioners; and necessary action shall be taken for release of the vehicles, in case falling within the ambit of Rule 9-Q(1)(i), on payment of the prescribed penalty; and in, other

case, on bond being executed in terms of Rule 9-Q (6) of the Rules.
There shall be no order as to costs.

As a sequel, miscellaneous petitions pending if any, shall
stand closed.

A.RAJASHEKER

REDDY,J

Date: 02.02.2015

dv