

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.76 of 2015

ORDER:

Heard the learned counsel for the petitioners and learned Government Pleader for Panchayat Raj (Telangana), Government Pleader for Revenue (Telangana) and Government Pleader for Home (Telangana).

2. The grievance of the petitioners is that their lorries bearing Nos.AP 22Y 4545, AP 28TA 5021, AP 29V 7989, AP 28TC 6686, AP 22TA 4149, AP 22TA 3051, AP 28TE 1818, AP 28TC 5641, AP 212TA 4559, AP 22TA 3339, AP 22Y 1458, AP 22TA 3789, AP 22Y 8559, AP 22W 9968,& TS06UA 2468, AP 29TB 9459, AP 29TA 7928, AP 28TC 9389, AP 28TB 9389, AP 28TB 8289, AP 22Y 5559, AP 28TB 7589, AP 28Y2909, AP 22TA 1989, AP 22Y0819, TS 06UA 0819, AP 22TA 7272, AP 22Y 9368, AP 22TA 5949, AP 22TA 3541, AP22W 7135, TS06 US 2526, AP29TB 2227 & AP 28TE 1239 have been seized by respondent Nos.3 to 13 without following the due process of law.

3. Both the counsel agree that in similar circumstances, this Court has disposed of W.P.No.12485 of 2014 on 24.04.2014 giving certain directions and that the present case is covered by the said judgment.

4. Following the said judgment, this Writ Petition is disposed of directing the petitioners to submit applications under the amended Rule 9-Q (1) (i) and (ii), read with Rule 9-Q (6) of the Rules notified in G.O.Ms.No.186 dated 17.12.2003, to the Officers, who seized the

vehicles; the said officers 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. If, on the other hand, the vehicles are found to have been used in the commission of the offence, for three or more times, the officers concerned shall consider directing release of the vehicles, in accordance with Rule 9-Q (6), on bonds being executed by the owners of the vehicles for their production as and when directed by the Court.

5. The entire exercise, culminating in an order being passed, shall be completed within three days from the date of submission of the representations by the petitioners; and necessary action shall be taken for release of the vehicles, in cases falling within the ambit of Rule 9-Q (1) (i), on payment of the prescribed penalty; and, in other cases, on bonds being executed in terms of Rule 9-Q (6) of the Rules.

6. Accordingly, the Writ Petition is disposed of. No costs. Miscellaneous petitions, pending if any, shall stand closed.

A.RAJASHEKER REDDY, J

Date: 07-01-2015

Note:

Issue C.C. today.

B/o.

pab/nvl