

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.40077 of 2015

Date:10.12.2015

Between:

Edavelly Hanumanthu,
S/o Narsappa

..... Petitioner

And:

The State of Telangana, repled., by its
Principal Secretary, Home Department,
Hyderabad and three others.

.....Respondents

Counsel for the Petitioner: Mr. K.Laxmaiah

Counsel for Respondent Nos.1 & 2: AGP for Home (TS)

Counsel for Respondent No.3: AGP for Mines & Geology
(TS)

Counsel for Respondent No.4: AGP for Revenue (TS)

The Court made the following:

ORDER:

This Writ Petition is filed for a *Mandamus* to declare the action of the respondents in seizing the petitioner's vehicle bearing registration No.AP 22 X 8610-Goods Carriage, on the allegation that it was found transporting sand illegally, as illegal and arbitrary. The petitioner sought for a consequential direction to the respondents to release the seized vehicle to him.

Learned counsel for both parties submitted that as

per G.O.Ms.No.3, Industries & Commerce (Mines-I) Department, dated 08.01.2015, as amended by G.O.Ms.No.15, Industries & Commerce (Mines-I) Department, dated 19.02.2015, both respondent Nos.2 and 4 are competent to release the seized vehicles.

As respondent No.2 is stated to have seized the vehicle, it is appropriate that this respondent considers release of the seized vehicle to the petitioner.

Purported copy of the application made by the petitioner to respondent No.2 for release of the seized vehicle has been filed as material paper.

Therefore, if such application was made to and received by respondent No.2, he shall consider the same in accordance with the above-mentioned G.Os and communicate the decision to the petitioner within one week from the date of receipt of a copy of this order.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, W.P.M.P.No.51736 of 2015 filed by the petitioner for interim relief is disposed of as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*10th December, 2015
DR*