

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.41063 of 2015

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Date: 17.12.2015

Between:

Salla Thirupathaiah

.. Petitioner

and

The State of Telangana
rep. by its Prl.Secretary
Home Dept.,
Hyderabad and 3 others

.. Respondents

**Counsel for the petitioner:
Chowdary**

Mr.V.Brahmaiah

Counsel for respondent Nos.1 & 2:

AGP for Home (TS)

**Counsel for respondent No.3:
Geology (TS)**

AGP for Mines &

Counsel for respondent No.4:

AGP for Revenue (TS)

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The Court made the following:

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Order:

This Writ Petition is filed for a Mandamus to declare the action of respondent No.2 in seizing the petitioner's Goods Carriage (DCM) bearing registration No.AP 22 Y 7119, on the ground that the same was used for illegal transportation of sand, as illegal and arbitrary. The petitioner sought for a consequential direction to the respondents to release the seized vehicle.

The petitioner pleaded that he has made a representation on 16.12.2015, to respondent No.2, who is the competent authority, for release of the seized vehicle. The petitioner's grievance is that no action has been taken by respondent No.2 on his representation so far.

At the hearing, it is submitted by the learned Counsel for both parties 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, respondent No.2, who is stated
to have seized the vehicle, is competent to release
the same.

Since the petitioner has already submitted his
application for release of the seized vehicle before
respondent No.2 on 16.12.2015, the latter is
directed to consider the same, if received, and pass
appropriate order thereon as per the
aforementioned G.Os., within a period of one week
from the date of receipt 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.52989 of 2015, filed by the petitioner
for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 17th December, 2015
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