

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.26119 of 2015

O R D E R:

This writ petition is filed under Article 226 of the Constitution of India for the following relief –

“ Hon'ble Court may be pleased to pass an order or orders or writ particularly one in nature of Writ of Mandamus declaring the action of the respondents in seizing the petitioners vehicles bearing no..1) AP 28DW 6522 & TS 07 UA 5423, 2) TS 07 EA 5875 and 3) AP 04 U 2118 & AP 04 U 2120 – Tractors and trailers of the petitioners without following any procedure under statutes contemplated under Section 9Q Sub-Section 7 of the A.P. Minor Mineral Concession Rules, 1966 as illegal, arbitrary, high handedness and against the principles of natural justice and violative of Article 14, 16, 19(1)(g), 21, 300-A and 301 of the Constitution of India and consequential directions to the respondents to give interim custody and release the petitioners vehicles 1) AP 28DW 6522 & TS 07 UA 5423, 2) TS 07 EA 5875 and 3) AP 04 U 2118 & AP 04 U 2120 – Tractors and Trailers to the petitioners forthwith and to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case.”

When the matter is taken up for consideration, written instructions dated 21.8.2015 furnished by the Sub Inspector of Police, Moammadabad Police Station, Ranga Reddy District has been placed on record by the learned Government Pleader for Home and the relevant portion of the same reads as under :

“ During the course of investigation on 18.8.2015 the seized vehicles was deposited before the Hon'ble the Judicial First Class Magistrate, Pargi, Ranga Reddy District through Form-66 vide No.1808/2015.

At present the said vehicles are kept in the police station for safe custody.

It is submitted that after arresting A-4 and after completion of investigation the case will be finalized and final report will be filed before the concerned Hon'ble Court as expeditiously as possible.

It is submitted that whenever the petitioners herein obtain an appropriate order of the competent authority, the said vehicles will be released in accordance with law.”

Noticing the said instructions, learned counsel for the petitioners requests to dispose of the writ petition by recording the above written instructions dated 21.8.2015 leaving it open for the petitioners to approach the concerned court for release of vehicles under Section 451 Cr.P.C.

In view of the above, the writ petition stands disposed of by recording the above written instructions dated 21.8.2015 furnished by the Sub Inspector of Police, Moammadabad Police Station, Ranga Reddy District, leaving it open for the petitioners to approach the concerned court by way of application for release of vehicles under Section 451 Cr.P.C. Miscellaneous applications, if any pending in the writ petition, shall stand closed. No costs.

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A.V.SESHA SAI, J

Date:25.8.2015

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THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

W.P.No.26119 of 2015

25.8.2015