

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.38266 of 2015

Date:25.11.2015

Between:

Syed Anwar Ali,
S/o Syed Amjad Ali

..... Petitioner

And:

The State of Telangana, repled., by its
Principal Secretary, Industries and Commerce
(Mines-I) Department, Hyderabad and two others.

.....Respondents

Counsel for the Petitioner: Mr. Ch.Ravinder

Counsel for Respondent No.1: AGP for Industries & Commerce (TS)

Counsel for Respondent No.2: AGP for Mines & Geology (TS)

Counsel for Respondent No.3: AGP for Home (TS)

The Court made the following:

ORDER:

This Writ Petition is filed with the grievance that respondent No.3 has unlawfully seized the petitioner's goods vehicle bearing registration No.AP 28 TA 1695, when it was used for transporting sand under a valid permit issued by the Telangana State Mineral Development Corporation, allegedly on 15.11.2015.

A perusal of the record shows that the petitioner has not approached the competent authority for release of the seized vehicle and instead, straightaway filed this Writ Petition.

Learned Assistant Government Pleader for Mines and Geology (Telangana) submitted that if the petitioner makes an application before respondent No.2 for release of the seized vehicle, the latter will verify whether the permit on which the petitioner was transporting the same was genuine or not and take a decision thereafter, depending upon the genuineness or otherwise of the permit under which the same was being transported.

In the light of the above submissions, the petitioner is directed to make an application before respondent No.2 for release of the seized vehicle. Within three days of receipt of such application, respondent No.2 shall examine whether the permit is genuine or not and release the vehicle if he is satisfied that the sand was being transported under genuine permit.

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

As a sequel to disposal of the Writ Petition, W.P.M.P.No.49251 of 2015 shall stand disposed of as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

25th November, 2015

DR