

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.6700 OF 2015

ORDER

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This writ petition is filed for a *writ of mandamus* declaring the action of the respondents in seizing the Lorry bearing No. AP 24 TB 4401 without following due process of law, as illegal and arbitrary and for a consequential direction to the respondents to release the above said vehicles.

Today, when the matter is taken up for hearing, it is stated by the learned counsel for the petitioner that this Court in similar circumstances disposed of W.P.No.98 of 2015 by order dated 07.01.015 directing release of the vehicle subject to certain conditions laid down therein, and the same is not disputed or denied by the learned Assistant Government Pleader for Panchayat Raj as well as the Government Pleader for Home.

Following the ratio laid down in the said writ petition, the petitioner is directed to submit a representation to the officer, who seized the vehicle for its release; the said officer shall within three days from the date of receipt of the representation examine whether the vehicle was used in committing the offence for the first and the second time, and, if so, consider directing release of the vehicle on payment of the prescribed penalty and also execution of a bond in accordance with Rule 8(vii) of Rules being executed by the owner of the vehicle for its production as and when directed by the competent Court to which seizure was reported by the Officer who seized the vehicle.

The entire exercise, culminating in an order being passed shall be completed within three days from the date of submission of the representation by the petitioner; and necessary action shall be taken for release of the vehicles, in case falling within the ambit of Rule

18(i)(a), on payment of the prescribed penalty; and also on execution of bond being executed in terms of Rule 18(vii) of the Rules.

Accordingly, the writ petition is disposed of. No costs. As a sequel, miscellaneous petitions pending if any, shall stand closed.

A.RAJASHEKER

REDDY,J

Date: 18.03.2015

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