

**pIN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

**WEDNESDAY, THE SEVENTH DAY OF OCTOBER TWO THOUSAND AND
FIFTEEN**

Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.32821 of 2015

Between:

Udugundla Venkatesh,

S/o. Papaiah,

Occ: Agriculture, R/o.Turkapally Village,

Vangoor Mandal, Mahabubnagar District.

.. Petitioner

AND

The State of Telangana,

Rep. by its Principal Secretary,

Home Department,

Secretariat, Hyderabad & 3 others

.. Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.32821 of 2015

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ORDER:

Questioning the action of the respondents in seizing the tractor and trailer bearing registration Nos.AP 22AM 7996 and TS 06EE 0885 belonging to the petitioner without following the due procedure, the petitioner filed the present writ petition.

2. It is represented by the learned counsel for the petitioner that in similar circumstances, this Court has disposed of W.P.No.3747 of 2015 on 23.02.2015 giving certain directions and that the present case is covered by the said judgment, which is not disputed by the learned Assistant Government Pleaders appearing for the respondents.

3. In view of the said representation, following the said judgment, the Writ Petition is disposed of directing the petitioner to submit an application for release of the vehicles before the competent authority and the competent

authority shall, within three (3) days from the date of receipt of such application, examine whether the vehicles are used in committing the offence for the first and second time; and if so, consider directing release of the vehicles on payment of the prescribed penalty. If, on the other hand, the vehicles are found to have been used in commission of the offence, for three or more times, the officer concerned shall consider directing release of the vehicles after deposit of amount in accordance with Rule-12 of G.O.Ms.No.15, Industries and Commerce (Mines-I) Department, dated 19.2.2015, and also on execution of bond along with an affidavit giving consent to produce the seized vehicles as and when required. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 7th October, 2015

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Date: 7th October, 2015

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