

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.7917 OF 2015

ORDER

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This writ petition is filed for a *writ of mandamus* declaring the action of the respondent No.5 in seizing and detaining the petitioner's Tractor and Trailer bearing Registration No.AP-22-AM-4639 and AP-24-W-5917 by registering a case in Crime No.25/2015, 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.3747 of 2015 by order dated 23.02.2015 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 an application for release of the vehicles before the competent authority and the competent authority, within three days from the date of receipt of the 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 GO.Ms.No.15, dated 19.02.2015 and also on execution of bond along with an affidavit giving consent to produce the seized vehicles as and when required.

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

A.RAJASHEKER REDDY,J

Date: 25.03.2015

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