

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.40623 of 2015

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Date: 15.12.2015

Between:

G.Raju and 4 others

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Petitioners

and

The State of Telangana,
represented by its Principal Secretary,
Home Department,
Hyderabad and 3 others

.. Respondents

Counsel for the petitioners: Mr.K.Laxmaiah

Counsel for respondent Nos.1 & 2: AGP for Home (TS)

Counsel for respondent No.3: AGP for Mines & Geology (TS)

Counsel for respondent No.4: AGP for Revenue (TS)

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The Court made the following:

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ORDER:

This Writ Petition is filed for a Mandamus to declare the action of respondent No.2 in seizing the petitioners' respective tractors and trailers bearing registration Nos.AP 22 AB 7166 – AP 22 E 1843, AP 22 AK 5472 – AP 07 4636, TS 06 EH 5256 – AP 16 L 0650, AP 07 TA 4892 – AP 07 TA 4893 and KA 33 T 2328 – TS 06 GTR 4131, on the ground that the same were used for illegal transportation of sand, as illegal and arbitrary. The petitioners sought for a consequential direction to the respondents to release the seized vehicles.

The petitioners pleaded that they made a representation, dated 09.12.2015, to respondent No.2, who is the competent authority, for release of the seized vehicles. The petitioners' grievance is that no action has been taken by respondent No.2 on their representation so far.

At the hearing, it is submitted by the learned Counsel for both parties that as per G.O.Ms.No.3, Industries & Commerce (Mines-I) Department,

dated 08.01.2015, as amended by G.O.Ms.No.15, Industries & Commerce (Mines-I) Department, dated 19.02.2015, respondent No.2, who is stated to have seized the vehicles, is competent to release the same.

Since the petitioners have already submitted their representation for release of the seized vehicles before respondent No.2 on 09.12.2015, the latter is directed to consider the same, if received, and pass appropriate order thereon as per the aforementioned G.Os., within a period of one week from the date of receipt of this order.

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

As a sequel to disposal of the Writ Petition, W.P.M.P.No.52458 of 2015, filed by the petitioners for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 15th December, 2015
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