

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.13748 of 2015

ORDER:

This writ petition is filed for a *Mandamus* declaring the action of the respondents in seizing the petitioners' lorries bearing Nos. AP 30W 1179, AP 30V 0979, AP 30W 3355, AP 30U 3249 and AP 35V 6050 without following any procedure as contemplated under the law as illegal, arbitrary and violative of principles of natural justice and for a consequential direction to the respondents to release the said vehicles for interim custody to the petitioner forthwith.

2. When the matter is taken up for hearing, learned counsel for the petitioner stated that this Court disposed of similar writ petition in W.P.No.40902 of 2014 dated 07.01.2015 directing release of the vehicles 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.

3. Heard Sri Umasankar Lokanadham, learned counsel for the petitioner and the learned Assistant Government Pleader for Home.

4. Following the ratio laid down in the said writ petition, the petitioner is directed to submit a representation to the officer who seized the vehicles for their release; the said officer shall within three days from the date of receipt of the representation examine whether the vehicles were used in committing the offence for the first or the second time; and if so, consider directing release of the vehicles on payment of the prescribed penalty and also execution of a bond in accordance with Rule 18(vii) of Rules being executed by the owner of the vehicles for their production as and when directed by the competent Court to which such seizure was reported by the officer who seized the vehicles.

Accordingly, the writ petition is disposed of. There shall be 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: 01-05-2015

kvs

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