

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

**MONDAY, THE TWELFTH DAY OF OCTOBER TWO THOUSAND AND
FIFTEEN**

Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.33736 of 2015

Between:

Chadipirala Ramesh Reddy,
S/. C. Krishna Reddy,
Aged about: 39 years,
R/. D.No.2/22, Devagudi Village,
Jammalamadugu Mandal,
YSR Kadapa District.

.. Petitioner

AND

The State of Andhra Pradesh,
Rep. by its Prl. Secretary to
Panchayat Ra Department,
Secretariat, Hyderabad & 3 others
.. Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

The grievance of the petitioner is that even though he has valid permit, his goods vehicle i.e., tractor and trailer bearing Nos.AP 04 TT 0497 and AP 04 TT 0496 was seized by the Assistant Director of Mines and Geology, Kadapa Region, Kadapa (2nd respondent) and so far the custody of the vehicle was not given causing grave hardship to the petitioner.

2. Learned counsel for the petitioner contends that even though a complaint was lodged with the local police alleging seizure of the vehicle, so far the vehicle is not produced in the concerned Court. Therefore, the petitioner cannot move any application before the concerned Court for release of the vehicle. Learned counsel further submits that in similar matters, this Court granted order for release of the vehicle subject to fulfillment of conditions as prescribed in G.O.Ms.No.95, Industries & Commerce (Mines-IV) Department, dated 28.08.2014, subject to production of ownership documents and also with

an undertaking that the petitioner shall not create third party interest and shall produce the vehicle as and when required.

3. Having regard to the above, the Writ Petition is disposed of, directing the petitioner to submit representation to the Revenue Divisional Officer, Jammalamadugu, YSR Kadapa District (3rd respondent), who seized his vehicle, for release of the vehicle. The said officer shall, within three days from the date of receipt of the representation, examine whether the vehicle was used in the commission of the offence as prohibited by G.O.Ms.No.95 Industries and Commerce (Mines-IV) Department, dated 28.08.2014, and the officer concerned shall release the vehicle, by duly observing relevant provisions of Para 18 of the Orders and with such conditions as warranted including execution of bond by the owner of the vehicle for its production as and when directed by the competent Court, to which such seizure was reported as a consequent to complaint lodged by the Officer, who seized the vehicle; deposit of amount; and not to create third party interest.

5. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in the writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 12th October, 2015

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