

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.40042 of 2015

Date:10.12.2015

Between:

Bheemanna Telugu,
S/o Laxmanna and another.

..... Petitioners

And:

The State of Telangana, repled., by its
Principal Secretary, Home Department,
Hyderabad and three 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)

The Court made the following:

ORDER:

This Writ Petition is filed for a *Mandamus* to declare the action of the respondents in seizing the petitioners' vehicles bearing registration Nos.TS 06 EB 5903-AP 22 X 8836 and AP 21 TY 5580-AP 21 T 7116, on the allegation that they were found transporting sand illegally, as illegal and arbitrary. The petitioners sought for a consequential direction to the respondents to release the seized tractors and trailers to them.

Learned counsel for both parties submitted 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, both respondent Nos.2 and 4 are competent to release the seized tractors and trailers.

As respondent No.2 is stated to have seized the tractors and trailers, it is appropriate that this respondent considers release of the seized tractors and trailers to the petitioners.

Purported copies of the applications made by the petitioners to respondent No.2 for release of the seized tractors and trailers have been filed as material papers.

Therefore, if such representations were made to and received by respondent No.2, he shall consider the same in accordance with the above-mentioned G.Os and communicate the decision to the petitioners within one week from the date of receipt of a copy 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.51696 of 2015 filed by the petitioners for interim relief is disposed of as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*10th December, 2015
DR*