

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.36533 OF 2015

ORDER:

The grievance of the petitioner is with regard to the seizure of his vehicle viz., Tata Hitachi Excavator EX 200 LC by the respondent authorities. The said vehicle was seized in connection with the loading of silica sand in four lorries on 21.09.2015.

Despite this matter being adjourned on the earlier occasion to enable the learned Assistant Government Pleaders for Mines and Geology and Home to get instructions, they stated that they were unable to do so.

As it is for the authorities concerned to apply their minds to the issue, this Court deems it unnecessary to keep this matter pending or adjudicate the same on merits.

The writ petition is accordingly disposed of permitting the petitioner to make an application to the Assistant Director of Mines and Geology, Nellore, the second respondent, for release of his vehicle. Upon receipt of such application, the second respondent shall consider the same in accordance with law and take appropriate action in the matter for release of the vehicle. In this exercise, it shall be open to the second respondent to impose such conditions as are deemed fit and proper, including collection of penalty, if any, and other appropriate conditions for production of the vehicle in future if warranted.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

18th November, 2015

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