

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION NO.14148 OF 2015

ORDER:

This Writ Petition is filed for a *Writ of Mandamus* declaring the action of the third respondent in seizing the petitioner's lorry bearing registration No.AP-37-Y-2657 in connection with Crime No.68 of 2015 of P.Gannavaram P.S., East Godavari District, as illegal and arbitrary.

The case of the petitioner is that the petitioner is the owner of the goods carriage lorry bearing registration No.AP-37-Y-2657. On 29.04.2015, the officials of the third respondent seized the said lorry on the premise of confessional statement of the lorry driver to the effect that the earth is removed from Lanka land without any permission and in that connection, a case in Crime No.68 of 2015 was registered for the offence punishable under Section 379 of the Indian Penal Code.

The grievance of the petitioner is that if the vehicle is kept idle, it would be exposed to sun and rain and hence, requested this Court to release the same.

Learned Assistant Government Pleader submitted that the vehicle has already been produced before the Magistrate concerned and it is for the petitioner to approach the Magistrate concerned for release of the said vehicle.

In view of the said submission, the Writ Petition is disposed of and the petitioner is at liberty to approach the Magistrate concerned by filing an application for release of his vehicle. As and when such application is made, the Magistrate concerned shall consider the same and pass appropriate orders in accordance with law. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(A.RAJASHEKER REDDY, J)

7th May 2015

RRB/RKK