

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

WRIT PETITION NOs.25214, 25253, 25368, 25372 & 25375
of 2015

W.P.No.25214 of 2015 :

Between :

P. Rama Swamy S/o.Palanisamy Goundar,
Aged about 55 yrs, Occu : Owner of the vehicle,
R/o.D.No.4/205, Kattusalai, Konur, Namakkal,
Namakkal, Tamilnadu State.

.. Petitioner

and

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
(Home) Department,
Secretariat, Hyderabad & others.

.. Respondents

W.P.No.25253 of 2015 :

Between :

Rajendra Kumar S/o.Venkataswamy Reddy,
Aged about 37 yrs, Occu : Owner of the vehicle,
R/o.#199, Banahalli, Anekal Tq,
Bangalore District, Karnataka.

.. Petitioner

and

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
(Home) Department,
Secretariat, Hyderabad & others.

.. Respondents

W.P.No.25368 of 2015 :

Between :

Gopi Appukuttan S/o.Apukuttan,
Aged about 43 yrs, Occu : Owner of the vehicle,
R/o.19/134, Parutharai, Veedu Sooriachode,
Vilavancode, Sooriacode, Kenniyakumari, Tamilnadu.

.. Petitioner

and

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
(Home) Department,
Secretariat, Hyderabad & others.

.. Respondents

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W.P.No.25372 of 2015 :

Between :

A. Latha W/o.Alagesan,
Aged about 43 yrs, Occu : Owner of the vehicle,

R/o.1/32, Keel Sathambur PO,
Namakkal, Paramathi Vellur 637207, Tamilnadu.

.. Petitioner

and

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
(Home) Department,
Secretariat, Hyderabad & others.

.. Respondents

W.P.No.25375 of 2015 :

Between :

Manjunatha S/o.Venkataswami Reddy,
Aged about 39 yrs, Occu : Owner of the vehicle,
R/o.37A, Ramasagara, Anekal Taluk,
Bangalore District.

.. Petitioner

and

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
(Home) Department,
Secretariat, Hyderabad & others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED : 12.08.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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1. Whether Reporters of Local Newspapers : Yes / No
may be allowed to see the Judgments ?

2. Whether the copies of judgment may be : Yes / No
marked to Law Reporters/Journals

3. Whether Their Lordship wish to : Yes / No
see the fair copy of the Judgment ?

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION NOs.25214, 25253, 25368, 25372 & 25375
of 2015

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COMMON ORDER :

The grievance of the petitioners in all these writ petitions is that even though they have valid permit, their goods vehicles bearing No.TN 28 AH 1175, TN 24 D3 199, TN 75 J7 167, TN 28 AH 1852 and TN 30 L1 663 were seized by the Tahsildar, Kuppam Mandal, Chittoor District and so far the custody of the vehicles was not given causing grave hardship to the petitioners.

2. Learned counsel for the petitioners, contend that even though a complaint was lodged with the local police on 20.07.2015 alleging seizure of the vehicles, so far the vehicles are not produced in the concerned Court. Therefore, the petitioners

cannot move any application before the concerned court for release of the vehicles. Learned counsel further submits that in similar matters, this Court granted order for release of the vehicles 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 petitioners shall not create third party interest and shall produce the vehicles as and when required.

3. Having regard to the above, these writ petitions are disposed of, directing the petitioners to submit representations to the 2nd respondent who seized their vehicles, for release of the vehicles. The said officer shall, within three days from the date of receipt of the representations, examine whether the vehicles were 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 vehicles, 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 vehicles 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 vehicles; deposit of amount; and not to create third party interest.

5. With the above observations, all the Writ Petitions are disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in these writ petitions shall stand closed.

_____**P.NAVEEN RAO,J**

12th August, 2015.

Note :Issue C.C. in three days.

B/o.

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