

THE HON'BLE SRI JUSTICE A.V. SESA SAI

-
WRIT PETITION No.30792 OF 2015
-

ORDER:

This writ petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue a writ or order more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in seizing the petitioner vehicle bearing No. TS 06 EH 1909-JCB of the petitioner without following any procedure under statutes contemplated under section 9Q Sub Section 7 of the AP Minor Mineral Concession Rules 1966 as illegal, arbitrary, high handedness and against the principles of natural justice and violative of Article 14, 16, 19(1)(g), 21, 300A and 301 of the Constitution of India and consequential directions to the respondents to give interim custody and release the petitioner vehicle bearing No. TS 06 EH 1909-JCB to the petitioner forthwith.”

2. When the matter is called today, it is represented by the learned Government Pleader on the instructions that the Police registered FIR.No.253 of 2015 on the file of Balanagar Police Station and the subject vehicle also produced before the court vide C.P.R.No.620 of 2015, as such, it is open for the petitioner herein to make an application before the concerned court for release of the vehicle as per law.

3. On noticing the above submission, it is requested by the learned counsel for the petitioner to dispose of the writ petition by keeping it open for the petitioner herein to avail the said remedy.

4. For the aforesaid reasons, writ petition is disposed of, keeping it open for the petitioner herein to approach the court of the Judicial First Class Magistrate, Shadnagar, with necessary application under Section 451 of Criminal Procedure Code.

5. Miscellaneous petitions pending consideration, if any, in the Writ

Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

22nd September, 2015
ss