

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA
REDDY**

WRIT PETITION No.41464 of 2015

-
22.12.2015

Between:

Chintalappola Srinivasulu and another

.. Petitioners

and

The State of Telangana,
represented by its Principal Secretary,
Home Department,
Hyderabad and others

.. Respondents

Counsel for the petitioners: Mr.K.Laxmaiah for Mr.V.Brahmaiah Chowdary

Counsel for respondent Nos.1 and 2: Assistant Government Pleader
for Home (TS)

Counsel for respondent No.3: Assistant Government Pleader
for Mines and Geology (TS)

Counsel for respondent No.4: Assistant Government Pleader for Revenue
(TS)

-
The Court made the following:

-

-

-

-

-

-

-

-

ORDER:

This writ petition is filed for a *mandamus* to declare the action of respondent No.2 in seizing the petitioners' tractors and trailers bearing registration Nos.AP 22 K 7016 – AP 22 K 7017 and AP 22 K 9252 – AP 22 Q 2740 respectively as illegal and arbitrary. The petitioners sought for a consequential direction to the respondents to release the seized vehicles.

The petitioners pleaded that on 16.09.2015, respondent No.2 has seized the aforementioned vehicles on the allegation that they were used for illegal transportation of sand and that they have made applications, dated 27.11.2015, to respondent No.2, who is the competent authority, for release of the seized vehicles. The petitioners' grievance is that no action has been taken by respondent No.2 on their applications so far.

At the hearing, it is submitted by the learned counsel for both parties 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, respondent No.2, who is stated to have seized the vehicles, is competent to release the seized vehicles.

In view of the above noted facts, it is appropriate that respondent No.2 considers release of the seized vehicles. Since the petitioners are stated to have already submitted their applications, dated 27.11.2015, to the said respondent, he is directed to consider the same and pass appropriate orders as per the aforementioned G.Os. for release of the seized vehicles, within a period of three days 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.53536 of 2015 filed by the petitioners for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

22nd December, 2015
GHN