

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

WRIT PETITION NO.35040 OF 2015

DATED 04th NOVEMBER, 2015

Between:

Patlolla Venkatesham .. Petitioner

and

State of Telangana rep by its Principal

Secretary, Home Department and others .. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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ORDER

The grievance of the petitioner is as to the seizure of his Tractors bearing registration Nos.TS 07UA 2479 and TS 07UA 6111 and Trolleys bearing registration Nos.AP 28X 6794 and TS 07UA 6110. It is his case that the rules framed by the Government under G.O.Ms.No.15, Industries and Commerce (Mines-I) Department, dated 19.02.2015 have not been followed. He also seeks a consequential direction to the authorities to give interim custody of the vehicles to him.

Sri N. Ashok Kumar, learned counsel for the petitioner, and the learned Assistant Government Pleader for Home agree that the adjudication by this Court in W.P.No.34049 of 2015 would cover the present issue. A copy of the order dated 14.10.2015 passed in the said writ petition is placed on record.

For reasons alike as were mentioned in the aforesaid order and in terms thereof, this writ petition is disposed of directing the petitioner to submit representation to the second respondent for release of his vehicles. The second respondent shall, within three days from the date of receipt of such representation, examine whether the vehicles were used in the commission of offences covered by the orders of the Government in G.O.Ms.No.15 dated 19.02.2015 and G.O.Ms.No.54, Industries and Commerce (Mines.I) Department, dated 21.08.2015 and take appropriate action in the matter in accordance therewith. It shall be open to the second respondent to release the subject vehicles imposing such conditions as may be warranted in accordance with the norms, including execution of bond by the owners of the vehicles for their production in future as and when directed by the competent Court, deposit of amounts and undertakings not to create third party interests.

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

SANJAY KUMAR, J

04th NOVEMBER, 2015

PGS