

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.34902 of 2015

Date:03.11.2015

Between:

S.Harish,

S/o T.C.Sriram

..... Petitioner

And:

The State of Telangana, repled., by its

Principal Secretary, Panchayat Raj

Department, Hyderabad and three others.

.....Respondents

Counsel for the Petitioner: Mr. K.Naveen Kumar

Counsel for Respondent No.1: AGP for Panchayat Raj

Counsel for Respondent Nos.2 & 3: AGP for Revenue

Counsel for Respondent No.4: AGP for Home

The Court made the following:

ORDER:

Two lorries bearing registration Nos.AP 15TB 6786 and KA 01AE 5325 belonging to the petitioner were seized on 11.10.2015 by respondent No.4 on the allegation that they were found transporting sand illegally.

The petitioner averred that he has made an application before respondent No.4 for release of the seized vehicle, but he has not passed any order so far.

At the hearing, Mr. K.Naveen Kumar, learned counsel for the petitioner, fairly conceded that neither the date and particulars of the purported application made by the petitioner has been pleaded in the affidavit nor a copy of the same had been filed by him. He has further submitted that as per G.O.Ms.No.95, dated 28.8.2014, as amended by G.O.Ms.No.6, dated 12.01.2015, respondent No.4 shall forward the applications made by the owners of the seized vehicles to respondent No.2, who is empowered to consider and release the same as per the said G.Os.

Inasmuch as no evidence is filed before the Court by the petitioner to show that he has made an application to release the seized lorries, I am not inclined to direct the respondent to consider release of the seized lorries at this stage. However, the petitioner is permitted to make an application before respondent No.4. Within three days of making such application, respondent No.4 shall forward the same to respondent No.2. Within three days thereafter, respondent No.2 shall consider and dispose of the said application in accordance with the above said G.Os and communicate the same to the petitioner.

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.44859 of 2015 shall stand disposed of as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

03rd November, 2015

DR