

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.36792 of 2015

Dated 13.11.2015

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Between:

Munya Vadithya

... Petitioner

and

-

The State of Telangana

rep. by its Principal Secretary

Hyderabad and 3 others

...Respondents

Counsel for the petitioner: Mr.V.Brahmaiah Chowdary

Counsel for respondent Nos.1 & 2: AGP for Home (TS)

Counsel for respondent No.3: AGP for Mines & Geology (TS)

Counsel for respondent No.4: AGP for Revenue (TS)

The Court made the following:

Order:

Feeling aggrieved by the seizure of his tractor and trailer bearing registration Nos.TS 07 UA 4547 and AP 28 Y 5053 by respondent No.2- Station House Officer, on the ground that the same was transporting sand illegally, the petitioner has filed this Writ Petition.

At the hearing, it is submitted by 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, both respondent Nos.2 and 4 are competent to release the seized tractor and trailer.

The petitioner has not pleaded that he has made any application before the said respondents for release of the seized tractor and trailer as per the aforesaid GOs. Therefore, I am not inclined to direct release of the seized tractor and trailer at this stage. However, as respondent No.2 is stated to have seized the tractor and trailer, it is appropriate that he considers release of the same.

Accordingly, the petitioner is permitted to make an application for release of his tractor and trailer before respondent No.2. Within one week of receipt of such application, respondent No.2 is directed to pass appropriate order in terms of the aforesaid GOs and communicate the same to the petitioner.

Subject to the above direction, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, WPMP.No.47381 of 2015, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 13th November, 2015

LUR