

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.34512 of 2015

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DATED : 14.10.2015

Between :

Boya Maddileti S/o.Ramudu,

Aged about 36 yrs, Owner of Tractor bearing

Regn.No.AP 22Y 7584 and Tractor bearing

Registration No.AP26L 9605 R/o.Pulluru Village,

Manopad Mandal, Mahabubnagar District.

.. Petitioner

and

The State of Telangana, rep., by its

Principal Secretary,

Home Department,

Secretariat Buildings, Hyderabad & 3 others.

.. Respondents

This court made the following :

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ORDER :

Questioning the action of the respondents in seizing the Tractor and Trailer bearing registration Nos.AP 22Y 7584 and AP 26 L 9605 belonging to the petitioner without following the due procedure, the petitioner filed the present writ petition.

2. It is represented by the learned counsel for the petitioner that in similar circumstances, this Court has disposed of W.P.No.3747 of 2015 on 23.02.2015 giving certain directions and that the present case is covered by the said judgment, which is not disputed by the learned Assistant Government Pleaders appearing for the respondents.

3. In view of the said representation, following the said judgment, the Writ Petition is disposed of directing the petitioner to submit an application for release of the vehicle before the competent authority and the competent authority shall, within three (3) days from the date of receipt of such application, examine whether the vehicle is used in committing the offence for the first and second time; and if so, consider directing release of the vehicle on payment of the prescribed penalty. If, on the other hand, the vehicle is found to have been used in commission of the offence, for three or more times, the officer concerned shall consider directing release of the vehicle after deposit of amount in accordance with Rule-12 of G.O.Ms.No.15, Industries and Commerce (Mines-I) Department, dated 19.2.2015, and also on execution of bond along with an affidavit giving consent to produce the seized vehicle as and when required. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

14th October, 2015.

Rds

