

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

**WRIT PETITION No.37317 of 2015**

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**17.11.2015**

Between:

Anjappa and another

.. Petitioners

and

The State of Telangana,

represented by its Principal Secretary,

Department of Home,

Hyderabad and others

.. Respondents

Counsel for the petitioners: Mr.K.Venkatesh Gupta

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

Counsel for respondent No.3: Assistant Government Pleader for Revenue (TS)

The Court made the following:

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**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 and AP 22 K 7017, and AP 22 K 9252 and AP 22 Q 2740 respectively and registering Crime No.147 of 2015 on the file of P.S. Makthal, as illegal and arbitrary. The petitioners sought for a consequential direction to the respondents to release the seized vehicles.

The petitioners pleaded that on 17.9.2015, respondent No.2 has seized the aforementioned vehicles on the allegation that they were used for illegal transportation of sand and Crime No.147 of 2015 on the file of P.S. Makthal was registered in respect thereof and that thereafter, they have made representations, dated 06.11.2015, to respondent No.2, who is the competent authority, for release of the seized vehicles. Their grievance is that no action is taken by respondent No.2 on their representations 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 have already made representations, dated 06.11.2015, 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.48024 of 2015 filed by the petitioners for interim relief shall stand disposed of as infructuous.

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**C.V.NAGARJUNA REDDY, J**

**17<sup>th</sup> November, 2015**

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