

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.624 OF 2015

ORDER

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This writ petition is filed for a writ of mandamus declaring the seizure of the petitioner's Tractor and Trailer bearing Nos. AP 07 W8967 and AP 07 W 8968 as illegal and arbitrary and for a consequential directions to the respondent Nos.2 and 3 to release the petitioner's Tractor and Trailer by collecting penalty as per rules.

Today, when the matter is taken up for hearing, it is stated by the learned counsel for the petitioner that this Court in similar circumstances disposed of W.P.No.63 of 2015 and the same is not disputed by the learned Assistant Government Pleader for Panchayat Raj.

In view of the same, the present writ petition is disposed of permitting the petitioner to submit an application to the officer, who seized the vehicles and thereupon the said officer shall within three days from the date of receipt of the application examine whether the vehicles were used in committing the offence for the first and the second time, and, if so, consider directing release of the vehicles on payment of the prescribed penalty. If, on the other hand, the vehicles are found to have been used in the commission of the offence, for three or more times, the officer concerned shall consider directing release of the vehicles in accordance with Rule 9-Q (6) on a bond being executed by the owner of the vehicles for their production as and when directed by the Court. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending if any, shall stand closed.

REDDY,J

Date: 21.01.2014

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A.RAJASHEKER