

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.32992 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a writ of mandamus declaring the action of the respondents in seizing petitioner's Goods Carriage bearing No.AP 13W 7119, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner, the learned Government Pleaders for Home, Revenue, and Mines and Geology (Telangana).

3. The petitioner claims to be the owner of Goods Carriage bearing No.AP 13W 7119. It is the case of the petitioner that the second respondent intercepted his Goods Carriage on 16.9.2016 on the ground that sand was being transported in the vehicle illegally. It is the further case of the petitioner that the sand was being transported in the vehicle with valid permit. The petitioner has submitted a representation dated 17.9.2016 to the second respondent with a request to release the vehicle. For one reason or the other, the second respondent has not disposed of the representation of the petitioner.

4. At the time of arguments, learned counsel for the petitioner submitted that the issue involved in this writ petition is squarely covered by the decision of this Court in Writ Petition No.39888 of 2015 dated 09.12.2015 and that a large number of similar and identical cases have been disposed of directing the authorities to release the seized vehicles in terms of G.O.Ms.No.3, Industries and Commerce (Mines.I) Department, dated 08.01.2015 as amended by

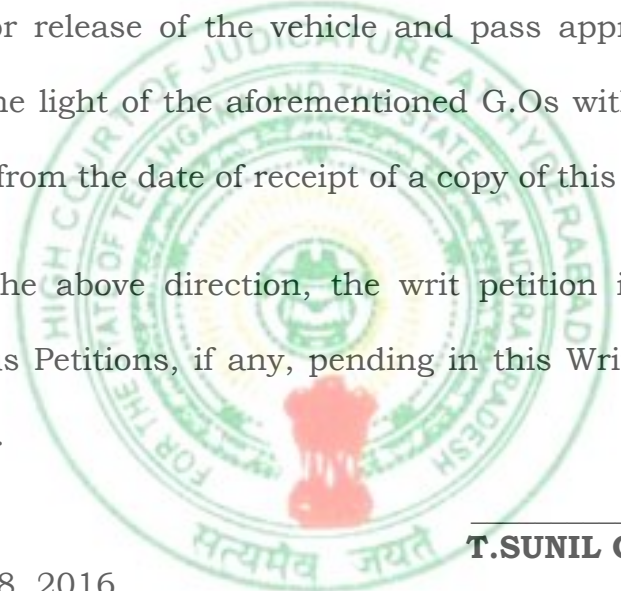
G.O.Ms.No.15, Industries & Commerce (Mines.I) Department,
dated 19.02.2015.

5. While concurring with the aforesaid submissions made by the learned counsel for the petitioner, the learned Government Pleaders would submit that this writ petition may be disposed of in similar lines to the order of this Court in writ petition No.39888 of 2015.

6. In view of the above, the second respondent is hereby directed to consider the representation of the petitioner dated 17.9.2016 for release of the vehicle and pass appropriate orders thereon in the light of the aforementioned G.Os within a period of three weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

September 28, 2016.
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A large, faint, circular watermark seal of the High Court of Judicature at Hyderabad, State of Andhra Pradesh, is centered in the background. It features the text 'HIGH COURT OF JUDICATURE AT HYDRABAD, STATE OF ANDHRA PRADESH' around the perimeter and 'FOR THE STATE OF ANDHRA PRADESH' at the bottom. In the center is a red emblem of the Government of India with the motto 'सत्यमेव जयते' (Satyameva Jayate) in Devanagari script below it.
T.SUNIL CHOWDARY, J