

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

Writ Petition No.2982 of 2016

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Date: 03.02.2016

Between:

Md.Maqbool Pasha and 3 others

.. Petitioners

and

The State of Telangana

rep. by its Prl.Secretary

Industries & Commerce (Mines-I) Dept.,

Hyderabad and 2 others

.. Respondents

Counsel for the petitioner : Mr.Ch.Ravinder

Counsel for respondent No.1: GP for Industries & Commerce (TS)

Counsel for respondent No.2: AGP for Home

Counsel for respondent No.3: AGP for Revenue

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' goods carriages bearing registration Nos.KA 56 2103, MH 25 B 9314, AP 28 TD 2237, KA 56 1412 and KA 32 B 0960 respectively, as illegal and arbitrary. The petitioners sought for a consequential direction to the respondents to release the seized vehicles.

The petitioners pleaded that on 23.01.2016, respondent No.2 seized the above-mentioned vehicles on the allegation that the same were used for illegal transportation of sand and that immediately thereafter, they have made an application to respondent No.2 for release of the seized vehicles. The grievance of the petitioners is that respondent No.2, who is the competent authority, has refused to receive the application.

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 same.

As respondent No.2 is stated to have seized the petitioners' good carriages, it is appropriate that the said respondent considers release of the same. The petitioners are, accordingly, permitted to approach respondent No.2 with an application for release of the seized vehicles and within three days of receipt of the said application, respondent No.2 shall consider and pass appropriate order thereon as per the above-mentioned G.Os.

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

As a sequel to disposal of the Writ Petition, WP.M.P.No.3780 of 2016, filed by the petitioners for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 3rd February, 2016

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