

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.42885 OF 2016

Dated:20.12.2016

Between:

S. Achibabu, S/o. Appala Narayana,
Aged about 38 years, Occ: Agriculture,
Krishnamaraju Peta, Majjigvalasa,
Bhimili, Visakhapatnam

.. Petitioner

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, Industries and
Commerce Department, Secretariat,
Hyderabad and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.42885 OF 2016

ORDER:

This Writ Petition is filed declaring the action of the respondents in seizing the Tractor and Trailer bearing Nos.AP 35TVTR 8449 and AP 31TT 9637, respectively, belonging to the petitioner, without following procedure, as illegal, arbitrary and unconstitutional.

2. Learned Government Pleader for Mines and Geology, on instructions, submits that the seizure of subject vehicle is on account of extraction of sand from unauthorized areas and the petitioner has to apply for appropriate orders under G.O.Ms.No.42, Industries and Commerce (Mines-II) Department, dated 29.03.2016, and after such request is made, the same will be considered and necessary orders will be passed within one week from such representation.

3. The statement is placed on record. Petitioner is given liberty to represent before the concerned authority for release of the subject vehicle within one week from today and on such representation being made by petitioner, the concerned authority passes necessary orders within seven (7) days from the date of receipt of a copy of the representation. If the petitioner is required to comply with any conditions, the concerned authority is further directed to release the subject vehicle after the petitioner complying with the condition imposed.

4. Subject to the above, the Writ Petition is disposed of.
There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition
shall stand closed.

P. NAVEEN RAO, J

Date:20.12.2016

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