

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

WRIT PETITION No.262 of 2016

-
05.01.2016

Between:

Govindu Kavali and another

.. Petitioners

and

The State of Telangana,
represented by its Principal Secretary,
Panchayat Raj and Rural Development Department,
Hyderabad and others

.. Respondents

Counsel for the petitioners: Mr.Janardhana Reddy Ponaka

Counsel for respondent No.1: Assistant Government Pleader
for Panchayat Raj and Rural Development (TS)

Counsel for respondent No.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 AH 3799 & AP 22 TA 7026 and AP 22 AL 8675 & AP 22 TA 2109 and registering Crime No.93 of 2015 on the file of Koilkonda Police Station, as illegal and arbitrary. The petitioners sought for a consequential direction to the respondents to release the seized vehicles.

The petitioners pleaded that on 16.12.2015, respondent No.2 has seized the aforementioned vehicles on the allegation that they were used for illegal transportation of sand and the aforesaid crime was registered in respect thereof and that thereafter, they have made applications, dated 19.12.2015, to respondent Nos.2 and 3, for release of the seized vehicles. Their grievance is that no action has been taken by respondent Nos. 2 and 3 on their applications 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 their applications, dated 19.12.2015, to the said respondent for release of the seized vehicles, he is directed to consider the same and pass appropriate orders, as per the aforementioned G.Os., 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 the writ petition, W.P.M.P.No.318 of 2016 filed by the petitioners for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

05th January, 2016
GHN