

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.27191 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 Tractor and Trailer bearing No.AP 24 AT 4326 and AP 24AT 4327 as being illegal and consequently direct the respondents to release the above mentioned vehicle to the petitioner forthwith.

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 owner of Tractor and Trailer bearing No.AP 24 AT 4326 and AP 24AT 4327. On 07.08.2016, the Tractor and Trailer of the petitioner was intercepted alleging that he was transporting sand illegally. In spite of showing relevant documents by the driver of the vehicle, the 2nd respondent without considering the same, seized the vehicle.

4. At the time of arguments, the 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. Having regard to the facts and circumstances of the case, the second respondent is hereby directed to consider the application of the petitioner dated 07.08.2016 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.

T.SUNIL CHOWDARY, J

Date:12.08.2016

Note:- Issue C.C. by 16.08.2016.

(B/o)

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