

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

WRIT PETITION No.348 of 2016

06.01.2016

Between:

M.Laxman Naik and another

.. Petitioners

and

The State of Telangana,
represented by its Principal Secretary,
Home Department,
Hyderabad and others

.. Respondents

Counsel for the petitioners: Mr.K.Laxmaiah

Counsel for respondent Nos.1 and 2: Assistant Government Pleader
for Home (TS)

Counsel for respondent No.3: Assistant Government Pleader
for Mines and Geology (TS)

Counsel for respondent No.4: 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 U 6186 & AP 22 U 6187 and TS 06 ED 4183 & AP 22 F 0458 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 16.12.2015, respondent No.2 has seized the aforementioned vehicles on the allegation that they were used for illegal transportation of sand and that they have made an application, dated 17.12.2015, to respondent No.2, who is the competent authority, for release of the seized vehicles. The petitioners' grievance is that no action has been taken by respondent No.2 on their application 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 petitioners' vehicles, is competent to release the seized vehicles.

Though the petitioners pleaded that they have made application, dated 17.12.2015, to respondent No.2 for release of the seized vehicles, no proof in support thereof is filed. Be that as it may, if respondent No.2 has received the aforesaid application allegedly made by the petitioners, he shall 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.440 of 2016
filed by the petitioners for interim relief shall stand disposed of as
infructuous.

C.V.NAGARJUNA REDDY, J

06th January, 2016
GHN