

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

Writ Petition No.1247 of 2016

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Date: 19.01.2016

Between:

Md.Maqbook Pasha

.. Petitioner

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 (TS)

Counsel for respondent No.3: AGP for Revenue

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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 petitioner's light motor vehicle bearing registration No.AP 24 AC 1756, as illegal and arbitrary. The petitioner sought for a consequential direction to the respondents to release the seized vehicle.

The petitioner pleaded that on 06.01.2016, respondent No.2 seized the above-mentioned vehicle on the allegation that the same was used for illegal transportation of sand and that immediately thereafter, he has made an application to respondent No.2 for release of the seized vehicle. The grievance of the petitioner 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 vehicle, is competent to release the same.

As respondent No.2 is stated to have seized the petitioner's light motor vehicle, it is appropriate that the said respondent considers release of the same. The petitioner is, accordingly, permitted to approach respondent No.2 with a fresh application for release of the seized vehicle 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.1590 of 2016, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 19th January, 2016
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