

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

WRIT PETITION No.3017 of 2016

Dated 03.02.2016

Between:

Lokomoni Kurumurthy

... Petitioner

and

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The State of Telangana

represented by its Principal Secretary,

Home Department,

Hyderabad and others.

...Respondents

Counsel for the petitioner: Mr.V.Brahmaiah Chowdary

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)

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The Court made the following:

ORDER:

This writ petition is filed for a *mandamus* to declare the action of respondent No.2 in seizing the petitioner's lorry bearing registration No. AP 29 TB 0011, on the ground that the same was used for illegal transportation of sand, as illegal and arbitrary. The petitioner sought for a consequential direction to the respondents to release the seized vehicle.

The petitioner pleaded that he has made an application, dated 31.01.2016, to respondent No.2, who is the competent authority, for release of the seized vehicle. The petitioner's grievance is that no action has been taken by respondent No.2 on his 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 vehicle, is competent to release the same.

Since the petitioner has already submitted his application for release of the seized vehicle before respondent No.2 on 31.01.2016, the latter is directed to consider the same, if received, and pass appropriate order thereon as per the aforementioned G.Os., within a period of one week 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 of the writ petition, W.P.M.P.No.3826 of 2016 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

03rd February, 2016

GHN