

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.32319 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 the petitioner's lorry bearing No.AP29V 4839, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner, the learned Government Pleaders for Home, Mines and Geology, and Revenue (Telangana).

3. Petitioner claims to be owner of lorry bearing No.AP29V 4839. On 07.09.2016, the lorry of the petitioner was intercepted by the respondents alleging that he was transporting sand illegally. He states that he was transporting sand under valid permit and bills. He claims to have submitted representation dated 09.09.2016 to respondent No.2 for release of the vehicle.

4. Learned counsel for the petitioner submitted that the issue involved in this writ petition is squarely covered by the order of this Court in W.P.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 W.P.No.39888 of 2015.

6. Having regard to the facts and circumstances of the case, respondent No.2 is hereby directed to consider the representation of the petitioner dated 09.09.2016 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. No costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 23.09.2016
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