

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

WRIT PETITION No.32278 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 second respondent in seizing petitioner's Vehicle bearing No.TS 12 UA 8106 as being illegal and arbitrary.

2. Heard Sri V.Brahmaiah Chowdary, learned counsel for the petitioner, the learned Government Pleader for Home (Telangana), representing the first and second respondents, the learned Government Pleader for Mines and Geology (Telangana), representing the third respondent and the learned Government Pleader for Revenue (Telangana), representing the fourth respondent.

3. The petitioner claims that he is the owner of the vehicle (Goods carriage) bearing No.TS 12 UA 8106. A perusal of the record reveals that the second respondent intercepted the vehicle of the petitioner on 06.09.2016 alleging that the petitioner was transporting the sand illegally. It is the case of the petitioner that he was transporting the sand under valid licence and permit. A perusal of the record reveals that the petitioner herein submitted a representation to the second respondent on 07.09.2016 with a request to release the vehicle.

4. At the time of arguments, 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 W.P.No.5144 of 2016 and batch dated

19.02.2016 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. In view of the above, the second respondent is hereby directed to consider the application of the petitioner dated 07.09.2016 for release of the vehicle(Goods Carriage) 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.

22.09.2016
Rns

T.SUNIL CHOWDARY, J