

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.4487 of 2016

Date:12.02.2016

Between:

Kavali Bala Sayanna,
S/o Pentanna

..... Petitioner

And:

The State of Telangana, repled., by its Principal
Secretary, Home Department, Hyderabad
and three others.

.....Respondents

Counsel for the Petitioner: Mr. P.Narahari Babu

Counsel for Respondent Nos.1 & 2: AGP for Home (TS)

Counsel for Respondent No.3: AGP for Mines & Geology
(TS)

Counsel for Respondent No.4: AGP for Revenue (TS)

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 tipper bearing registration No.AP 26 W 3443, 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 approached respondent No.2 with a representation for release of the seized vehicle, but the latter refused to receive the same.

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.

In the light of the above, the petitioner is permitted to make a fresh application before respondent No.2 for release of the seized vehicle and the latter is directed to consider the same 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.5748 of 2016 shall stand disposed of as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*12th February, 2016
DR*