

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO
W.P.No.19372 OF 2015

ORDER:

This writ petition was filed challenging the action of respondents 2 to 6 in seizing 620 Cubic Meters of sand belongs to the petitioner on 12.02.2015 from Vamidoddi, Peddapodilla Village, Peapully Mandal, Kurnool District.

Learned Government Pleader on the basis of the instructions issued by the Sub-Inspector of Police, Peapully Police Station, Kurnool District submits that the Mandal Executive Magistrate-cum-Tahsildar, Peapully Mandal and Assistant Director, Mines and Geology, Kurnool have conducted joint raids on illegal sand and seized illegal sand stocks measuring 620 Cubic Meters from Vamidoddi at Peddapudilla Village belonging to the petitioner on 12.02.2015. He further submits that based on the written complaint of the Mandal Executive Magistrate-cum-Tahsildar, dated 24.02.2015 a case was registered in Crime No.23 of 2015 under Sections 420, 379, 120(B) and Section 4(1), 4(1a) and 21 of M.M. (D & R) Act, 1957 and the seized sand is in the custody of the Mines and Geology and Revenue Department. The said case is pending trial in C.C.No.168 of 2015 in the Court of the Judicial Magistrate of First Class, Dhone.

In view of the above facts, it cannot be said that the action of the seizure of the sand is illegal and the action is subject to further orders in C.C.No.23 of 2015 by the Court of Judicial Magistrate of First Class, Dhone.

The writ petition is accordingly disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any pending in this writ petition shall stand closed.

A.RAMALINGESWARA RAO, J

DATE 26.04.2016

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