

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.9109 OF 2016

ORDER:

This Writ Petition is filed for a mandamus to declare the action of respondent No.2 in seizing the petitioners' lorries bearing Nos.AP-26-TE-1114, AP-26-TC-7999 and AP-26-TC-1233 as illegal and arbitrary.

The petitioners pleaded that they are the respective owners of the above-mentioned lorries, that on 26.02.2016, the said lorries were seized. The petitioners further averred that as the alleged violation is of first instance, they are entitled to get the seized vehicles released by paying the prescribed penalty in terms of G.O.Ms.15, Industries and Commerce (Mines-I) Department, dated 19.02.2015.

Inasmuch as respondent No.3 is also authorized to release the seized vehicles in terms of G.O.Ms.No.15 dated 19.02.2015, I find it appropriate that the petitioners make the applications before him as he is the one who has seized the petitioners' vehicles and is evidently in custody of the same. Hence, the petitioners are permitted to make the applications to respondent No.3 for release of the seized vehicles. Within three days of receipt of such applications, respondent No.3 shall consider, take appropriate decision thereon and communicate the same to the petitioners.

Subject to the above direction, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(CHALLA KODANDA RAM, J)

21st March 2016
RRB