

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

WRIT PETITION No.16357 of 2016

ORDER:

This writ petition is filed for a mandamus to declare the action of respondent No.2 in seizing the petitioners' Tractors and Trailors bearing registration Nos.TS 01 UA 3922 and AP 24 S 2986 and AP 24 TB 9624 and AP 24 TB 9625 respectively, as illegal and arbitrary. The petitioners sought for a consequential direction to the respondents to release the seized vehicles.

The petitioners pleaded that on 10.05.2016, respondent No.2 has seized the aforementioned vehicles on the allegation that it was used for illegal transportation of sand and that they have made an application, dated 10.05.2016 to respondent No.2, who is the competent authority, for release of the seized vehicles. The petitioners' grievance is that no action has been taken by respondent No.2 on their application so far.

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 vehicles, is competent to release the seized vehicles.

In view of the above noted facts, it is appropriate that respondent No.2 considers release of the seized vehicles. Since the petitioners have already submitted their application, dated 10.05.2016, to the said respondent, he is directed to consider the same and pass appropriate orders as per the aforementioned G.Os. for release of the seized vehicles within a period of three days from the date of receipt of a copy of this order.

Subject to the above directions, the Writ Petition is disposed of. Miscellaneous petitions, if any, shall stand closed.

19th May, 2016

M.S.K JAISWAL, J

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Date: 19.05.2016

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