

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM
WRIT PETITION No.17364 OF 2016

ORDER:

This Writ Petition is filed for a mandamus to declare the action of respondents in not releasing the petitioner's Tractor and Trailer bearing Registration Nos.TS 05 HTR 6913 and TS 05 JTR 4822 as illegal and arbitrary.

The petitioner pleaded that he is the owner of the above-mentioned vehicle and on 18.05.2016 the said vehicle was seized. The petitioner further averred that as the alleged violation is of first instance, he is entitled to get the seized vehicle released by paying the prescribed penalty in terms of G.O.Ms.No.15, Industries and Commerce (Mines-I) Department, dated 19.02.2015 and that in spite of the representation, dated 30.05.2016, made to respondent No.2 for release of the vehicle, no order has been passed thereon.

Inasmuch as respondent No.2 is also authorized to release the seized vehicle in terms of G.O.Ms.No.15, dated 19.02.2015, I find it appropriate that the petitioner makes the application before him as he is the one who has seized the petitioner's vehicle and is evidently in custody of the same. Hence, the petitioner is permitted to make the application to respondent No.2 for release of the seized vehicle. Within three days of receipt of such application, respondent No.2 shall consider, take appropriate decision thereon and communicate the same to the petitioner.

Subject to the above direction, the Writ Petition is disposed of.
No order as to costs.

Miscellaneous petitions, if any, pending in the Writ Petition shall

stand closed.

CHALLA KODANDA RAM, J

Date:06.06.2016
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