

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 7196 of 2016

DATED 4th March, 2016

BETWEEN

Mohammed Afzal Uddin

...Petitioner

And

The State of Telangana, rep. by its
Principal Secretary, Home Department,
Secretariat, Hyderabad and anr.

...Respondents.

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 7196 of 2016

ORDER:

This Writ Petition is filed for a Mandamus to declare the action of respondent No.2 in not releasing the petitioner's DCM goods vehicle bearing Registration No. TS10UA2860 as illegal and arbitrary.

The petitioner pleaded that he is the owner of the above-mentioned DCM goods vehicle, that on 26.02.2016, the said vehicle was seized and kept in the custody of the second respondent without there being registered any case against him. 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 making repeated requests, the

said vehicle has not been released.

Inasmuch as respondent No.2 is also authorised to release aforesaid seized vehicle in terms of G.O.Ms.No.15, dated 19.02.2015, I find it appropriate that the petitioner make an 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 an application to respondent No.2 for release of the seized DCM vehicle. Within three days of receipt of such application, respondent No.2 shall consider the same, take appropriate decision thereon and communicate the same to the petitioner.

Subject to the above, the Writ Petition is disposed of. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE CHALLA KODANDA RAM

DATED 4th March, 2016.
Msnr_x