

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM
WRIT PETITION No.23137 OF 2016

ORDER:

This Writ Petition is filed for a Mandamus to declare the action of the respondents in not releasing the vehicles Tractor cum Trailer bearing Registration Nos. AP 25 M 8882 and AP 25 AD 0194, AP 25 AR 1528 and AP 25 x 6377 T.S. 16 AU 3738 as illegal and arbitrary.

The petitioners pleaded that they are the owner of the above-mentioned vehicles, that on 03.07.2016 the said vehicles 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.No.15, Industries and Commerce (Mines-I) Department, dated 19.02.2015 and that in spite of the request made to respondent No.2 for release of the vehicles, no steps have been taken by the 2nd respondent.

Inasmuch as, respondent No.2 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.2 for release of the seized vehicles. Within three days of receipt of such applications, respondent No.2 shall consider, take appropriate decision thereon and communicate the same to the petitioners.

Subject to the above direction, the writ petition is disposed of. No order as to costs. As a sequel to disposal of the writ petition, Miscellaneous Petitions, if any, pending shall stand disposed of as infructuous.

CHALLA KODANDA RAM, J

Date:14.07.2016
Ssv