

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.28717 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the action of the second respondent in seizing petitioner's Tractor and Trailer bearing Nos.TS 05 NTR 6474 and AP 24N 3477, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Home (Telangana).

3. The petitioner claims to be the owner of Tractor and Trailer bearing Nos.TS 05 NTR 6474 and AP 24N 3477. On 16.8.2016, the second respondent intercepted the Tractor and Trailer of the petitioner at Ammanabolu alleging that sand was transporting in the vehicle illegally. The contention of the petitioner is that the second respondent seized petitioner's vehicle without any right whatsoever.

4. The learned counsel for the petitioner submitted that the issue involved in this writ petition is squarely covered by the decision of this Court in Writ Petition No.39888 of 2015 dated 09.12.2015 and that a large number of similar and identical cases have been disposed of directing the authorities to release the seized vehicles in terms of G.O.Ms.No.3, Industries and 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.

5. While concurring with the aforesaid submissions made by the learned counsel for the petitioner, the learned Government Pleader would submit that this writ petition may be disposed of in similar lines to the order of this Court in writ petition No.39888 of 2015.

6. In view of the above, the second respondent is hereby directed to consider the application of the petitioner dated 23.6.2016 for release of

the vehicle and pass appropriate orders thereon in the light of the
aforementioned G.Os within a period of three weeks from the date of
receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of.
Miscellaneous Petitions, if any, pending in this Writ Petition shall stand
closed.

(T.SUNIL CHOWDARY, J)

August 26, 2016.

NOTE:

Dispatch order copy in

One week.

(By order)

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