

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.36203 OF 2015

ORDER:

The prayer of the petitioner in this case is as under:

“For the reasons stated in the accompanying affidavit, the petitioner herein prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action the respondents No.3 & 4 in keeping the Tractors bearing registration Nos. AP 29 TB 7226 and AP 29 TB 7134 in their custody as arbitrary, illegal, colorable exercise of power and violative of the fundamental rights guaranteed to the petitioner under Articles 14, 19 & 21 of the Constitution of India and consequently direct the respondents No.3 & 4 to handover the Tractors bearing registration Nos. AP 29 TB 7226 and AP 29 TB 7134 to the petitioner's officials and pass such other order or orders as are deemed fit and proper in the circumstances of the case.”

The Sub-Inspector of Police, Kothur Police Station, Mahabubnagar District, filed a counter-affidavit, wherein he categorically stated that the police authorities had not seized the subject tractors and that no crime had been registered in relation thereto as on date. He further stated that the possession of the subject tractors was not with the police authorities.

In the light of the afore-stated stand of the police authorities, the writ petition is dismissed leaving it open to the petitioner to workout its remedies in accordance with law.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

**JUSTICE SANJAY
KUMAR**

14th March, 2016
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