

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA
REDDY**

WRIT PETITION No.352 of 2016

06.01.2016

Between:

Musaligari Konda Reddy

.. Petitioner

and

The State of Telangana,
represented by its Principal Secretary,
Home Department,
Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.K.Laxmaiah

Counsel for respondent Nos.1 and 2: Assistant Government Pleader
for Home (TS)

Counsel for respondent No.3: Assistant Government Pleader
for Mines and Geology (TS)

Counsel for respondent No.4: Assistant Government Pleader for Revenue
(TS)

The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to declare the action of respondent No.2 in seizing the petitioner's tractor bearing registration No.AP 28 TB 7841 as illegal and arbitrary. The petitioner sought for a consequential direction to the respondents to release the seized vehicle.

The petitioner pleaded that on 11.12.2015, respondent No.2 has seized the aforementioned vehicle on the allegation that it was used for illegal transportation of sand and that he has made an application, dated 16.12.2015, to respondent No.2, who is the competent authority, for release of the seized vehicle. The petitioner's grievance is that no action has been taken by respondent No.2 on his application so far.

At the hearing, it is submitted by the learned counsel for both parties that as per G.O.Ms.No.3, Industries & 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, respondent No.2, who is stated to have seized the petitioner's vehicle, is competent to release the seized vehicle.

Though the petitioner pleaded that he has made application, dated 16.12.2015, to respondent No.2 for release of the seized vehicle, no proof in support thereof is filed. Be that as it may, if respondent No.2 has received the aforesaid application allegedly made by the petitioner, he shall consider the same and pass appropriate orders, as per the aforementioned G.Os., within a period of three days from the date of receipt of a copy of this order.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal the writ petition, W.P.M.P.No.445 of 2016

filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

06th January, 2016
GHN