

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.27703 OF 2016

ORDER:

This Writ Petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue Writ, Order or Direction especially one in the nature of Writ of Mandamus declaring the seizure of the petitioners Tractors & Trailers bearing Nos. AP 07 Y 9858 & AP 07 Y 9859, AP 24 TC 3490 & AP 24 TC 3487, AP 24 Y 7087 & AP 24 Y 7088 and AP 24 X 5450 & AP 24 X 5449 is illegal, arbitrary and violative of Article 19(1)(g) of the Constitution of India and consequently direct the 2nd and 3rd respondents to release the petitioners Tractors & Trailers bearing Nos. AP 07 Y 9858 & AP 07 Y 9859, AP 24 TC 3490 & AP 24 TC 3487, AP 24 Y 7087 & AP 24 Y 7088 and AP 24 X 5450 & AP 24 X 5449 by collecting penalty as per rules and pass such other order or orders as this Hon'ble Court may deem fit, just and proper in the interest of justice.”

2. Heard Sri Ch.Ravinder, learned counsel, appearing for the petitioners and learned Government Pleaders for Panchayat Raj and Rural Development, Home, Revenue and Mines and Geology, appearing for the respondents.

3. Learned counsel for the petitioners 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.

4. While concurring with the aforesaid submissions made by the learned counsel for the petitioners, the learned Government Pleaders 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.

5. In view of the above, this Writ Petition is also disposed of, directing the 2nd respondent to consider the application of the petitioners dated 12.08.2016 for release of the vehicles and pass appropriate orders thereon in the light of the aforementioned G.Os within a period of three days from the date of receipt of a copy of this order.

6. Miscellaneous petitions pending consideration, if any, in the writ petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

18.08.2016
SS