

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.2562 of 2016

Dated 29.01.2016

Between:

Suresh Kurva and 4 others

... Petitioners

and

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The State of Telangana
rep. by its Prl.Secretary
Home Dept.,
Hyderabad and 3 others.

...Respondents

Counsel for the petitioner:

Mr.V.Brahmaiah Chowdary

Counsel for respondent Nos.1 & 2: AGP for Home

Counsel for respondent No.3: AGP for Mines & Geology

Counsel for respondent No.4: AGP for Revenue

The Court made the following:

Order:

This Writ Petition is filed for a Mandamus to declare the action of respondent No.2 in seizing the petitioners' tractors and trailers bearing registration Nos.TS 06 EJ 2706 - AP 22 AE 7220, TS 06 EB 5074 – AP 21 TU 1069, TS 06 EJ 1353 – TS 06 GTR 1619, TS 06 EB 0653 – TS 06 EB 0654 and TS 06 EB 6466

– TS 06 EB 6467 respectively, on the ground that the same were used for illegal transportation of sand, as illegal and arbitrary. The petitioners sought for a consequential direction to the respondents to release the seized vehicles.

The petitioners pleaded that they have made an application, dated 26.01.2016, to respondent No.2, who is the competent authority, for release of the seized vehicles. The petitioners' grievance is that no action has been taken by respondent No.2 on their 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 vehicles, is competent to release the same.

Since the petitioners have already submitted their application for release of the seized vehicles before respondent No.2 on 26.01.2016, the latter is directed to consider the same, if received, and pass

appropriate order thereon as per the aforementioned G.Os., within a period of one week from the date of receipt of this order.

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

As a sequel to disposal of the Writ Petition, W.P.M.P.No.3206 of 2016, filed by the petitioners for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 29th January, 2016
LUR