

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.13799 OF 2016

ORDER:

This writ petition is filed for a mandamus to declare the action of respondents in not releasing the petitioners' vehicles bearing Registration Nos. AP 21 TU 9531, AP 21 TU 9499 of the 1st petitioner and T.S.06 EL 2383 and A.P. 22 H 4109 of the 2nd petitioner as illegal and arbitrary.

The petitioner pleaded that he is the owner of the above-mentioned vehicle, that on 13.04.2016, the said vehicle was seized. The petitioner further averred that as the alleged violation is of first instance, he is entitled to get the seized vehicle released by paying the prescribed penalty in terms of G.O.Ms.No.15, Industries and Commerce (Mines-I) Department, dated 19.02.2015 and that in spite of the representation, dated 14.04.2016, made to respondent No.2 for release of the vehicle, no order has been passed thereon.

Inasmuch as respondent No.2 is also authorised to release the seized vehicles in terms of G.O.Ms.No.15, dated 19.02.2015, I find it appropriate that the petitioners make the applications before him as he is the one who has seized the petitioners' vehicles and is evidently in custody of the same. Hence, the petitioners are permitted to make the applications to respondent No.2 for release of the seized vehicle. Within three days of receipt of such applications, respondent No.2 shall consider, take appropriate decision thereon and communicate the same to the petitioners.

Subject to the above direction, the writ petition is disposed of. No order as to costs.

As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand disposed of as infructuous.

CHALLA KODANDA RAM, J

Dated:25.04.2016

Gk

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.13799 OF 2016

Date:25.04.2016

Gk

