

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.24372 OF 2014

ORDER:

This writ petition is filed seeking to issue a writ or order more particularly, one in the nature of writ of *mandamus* to declare the action of the respondents in keeping the tractor bearing No.AP 27 D 1909 before respondent No.3 police station without producing the same before the competent criminal Court or showing in the records as illegal and arbitrary and consequently, to direct respondent No.3 to release the said tractor in favour of the petitioner forthwith.

2. None appears for the petitioner and there is no representation on his behalf.

3. On 24.10.2014, this Court, while admitting the writ petition, passed an interim order in W.P.M.P.No.30513 of 2014 as follows:

“The petitioner is at liberty to approach respondent No.3 for release of tractor and respondent No.3 shall, if it is not in the custody of Magistrate, consider the same and release to the petitioner after obtaining appropriate undertaking and guarantee with respect to the value of the tractor.”

Respondent No.3 filed counter in which it is stated at para No.6 as follows:

“It is respectfully submitted that, in view of the High Court order, the said vehicle was not deposited before the concerned Hon’ble Court. It is submitted that, as per the interim orders of this Hon’ble Court dated 24.10.2014 in WPMP No.30513/2014, the said tractor was released on 31.10.2014 after obtaining sufficient sureties in accordance with law.”

As the said tractor was already released, this Court is of the view that nothing survives for adjudication in this writ petition and the same is liable to be disposed of as infructuous.

4. Accordingly, the Writ Petition is disposed of as infructuous. There shall be no order as to costs.

5. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

14.10.2016
AMD

JUSTICE RAJA ELANGO



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Date: 14.10.2016

AMD