

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.15573 of 2016

ORDER:

This writ petition is filed for a mandamus to declare the action of the respondents in seizing the petitioner's vehicle i.e., Tractor bearing No. A.P 22 Y 7743-cum-Trailer bearing No. A.P. 22 J 1021, as illegal and arbitrary.

The petitioner pleaded that he is the owner of the above mentioned vehicle and on 16.04.2016 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.

Inasmuch as respondent No.3 is also authorized to release the seized vehicle in terms of G.O.Ms.No.15 dated 19.02.2015, I find it appropriate that the petitioner makes the application before him as he is the one who has seized the petitioner's vehicle and is evidently in his custody. Hence, the petitioner is permitted to make an application to respondent No.3 for release of the seized vehicle. Within three days of receipt of such application, respondent No.3 shall consider, take appropriate decision thereon and communicate the same to the petitioner.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

29-04-2016
Gsn