

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.2784 of 2016

Date:01.02.2016

**Between:**

Gariganti Mallikarjun,  
S/o Allaiah and three others.

**..... Petitioners**

**And:**

The State of Telangana, repled., by its Principal  
Secretary, Home Department, Hyderabad  
and two others.

**.....Respondents**

Counsel for the Petitioners: Mr. P.L.Rao

Counsel for Respondent Nos.1 & 2: AGP for Home (TS)

Counsel for Respondent No.3: AGP for Revenue (TS)

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 tractors and trailers bearing registration Nos.TS-02-EE-5645 & TS-02-UA-2633, AP-36-P-9752 & AP-36-P-9753, AP-15-AE-9106 & AP-15-AE-9107 and TS-02-J-TR-5512 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 tractors and trailers.

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 vehicle, is competent to release the same.

Since the petitioners have not submitted an application for release of the seized vehicles before respondent No.2, they are permitted to make an application to respondent No.2, and the latter is directed to consider the same 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.3482 of 2016 shall stand disposed of as infructuous.

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*JUSTICE C.V.NAGARJUNA  
REDDY*

*01<sup>st</sup> February, 2016  
DR*