

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.3074 of 2016

Dated 03.02.2016

Between:

Indur Ravi

... Petitioner

and

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The State of Telangana

represented by its Principal Secretary,

Home Department,

Hyderabad and others.

...Respondents

Counsel for the petitioner: Mr.V.Brahmaiah Chowdary

Counsel for respondent Nos.1 and 2: Assistant Government Pleader for
Home (TS)

Counsel for respondent No.3: Assistant Government Pleader
for Mines and Geology (TS)

Counsel for respondent No.4: Assistant Government Pleader
for Revenue (TS)

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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 petitioner's tractor and trailer bearing registration Nos.AP 28 DF 0338 and AP 28 TE 9549, on the ground that the same were used for illegal transportation of sand, as illegal and arbitrary. The petitioner sought for a consequential direction to the respondents to release the seized vehicles.

The petitioner pleaded that he has made an application, dated 29.01.2016, to respondent No.2, who is the competent authority, for release of the seized vehicles. The petitioner's grievance is that no action has been taken by respondent No.2 on his 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 petitioner has already submitted his application for release of the seized vehicles before respondent No.2 on 29.01.2016, 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 a copy 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.3893 of 2016 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

03rd February, 2016

