

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.4224 of 2016

Date:10.02.2016

Between:

Pallegadda Yadaiah,
S/o Hanmaiah and another.

..... Petitioners

And:

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

.....Respondents

Counsel for the Petitioners: Mr. V.Brahmaiah Chowdary

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

Counsel for Respondent No.3: AGP for Mines & Geology
(TS)

Counsel for Respondent No.4: 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 petitioners' tractors and trailers bearing registration Nos.AP 22 AL 9823-TS 06 GTR 3981 and AP 22 X 9305-AP 22 X 9306, respectively, 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 vehicles.

The petitioners pleaded that they have made application, dated 04.02.2016, to respondent No.2, who is the competent authority, for release of the seized vehicles. The petitioners' grievance is that no action has been taken by respondent No.2 on their 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 vehicle, is competent to release the same.

Since the petitioners have already submitted application for release of the seized vehicles before respondent No.2 on 04.02.2016, 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 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.5416 of 2016 shall stand disposed of as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*10th February, 2016
DR*