

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 22071 of 2016

ORDER:

This Writ Petition is filed for a *mandamus* declaring the action of the respondents in not releasing the petitioner's tractor and trailer bearing Registration No. AP 22 AD 2981 & TS 06 UB 1381, as illegal and arbitrary.

According to the petitioner, who is said to be the owner of the above-detailed vehicle, on 02.07.2016, while transporting sand, her tractor & trailer was intercepted and seized by the 2nd respondent Station House Officer, Bommaraspet Police Station, Mahabubnagar District. As the alleged violation is for the first time, in terms of G.O.Ms.No. 15, Industries & Commerce (Mines.I) Department, dated 03.07.2016, the petitioner is entitled to get the custody of the seized vehicle, but despite the representation dated 06.06.2016 submitted to the 2nd respondent offering to pay the penalty, no action has been taken thereon, is the main grievance of the petitioner in this Writ Petition.

At the hearing, it is submitted by the learned counsel for both the parties that as per G.O.Ms.No. 15, dated 19.02.2015, the 2nd respondent, who is stated to have seized the vehicle, is competent to release the same.

In view thereof and also in view of the fact that the petitioner has already submitted the representation dated 03.07.2016 to the 2nd respondent seeking to release the seized vehicle, the latter is directed to consider the same and pass appropriate orders as per the aforementioned G.O., within three days from the date of receipt of a copy of this order, and communicate the decision taken thereon to the petitioner.

Subject to the above direction, the Writ Petition stands disposed of. No costs.

Consequently, the Miscellaneous Applications, if any shall also stand disposed of.

CHALLA KODANDA RAM, J.

8th July 2016

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