

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.28203 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing respondent Nos.2 and 3 to release the petitioners' Tractors & Trailers bearing Nos.AP 24 AT 4709 & AP 24 TB 7162 and AP 24 AB 2566 & AP 24 AB 2565 in favour of the petitioners.

2. Heard the learned counsel for the petitioners, the learned Government Pleader for Panchayat Raj and Rural Development, learned Government Pleader for Home, learned Government Pleader for Revenue and the learned Government Pleader for Mines and Geology (Telangana).

3. The first petitioner states that he is the owner of the tractor and trailer bearing No.AP 24 AT 4709 and AP 24 TB 7162. The second petitioner states that he is the owner of the tractor and trailer bearing No.AP 24 AB 2566 and AP 24 AB 2565. A perusal of the record reveals that the second respondent intercepted the tractors and trailers of the petitioners on 16.08.2016 alleging that the petitioners were transporting the sand illegally. On 17.08.2016 the petitioners submitted a representation to the second respondent requesting him to release the vehicles forthwith. For one reason or other, the second respondent has not passed the orders.

4. Learned counsel for the petitioners submitted that the issue involved in this writ petition is squarely covered by the decision of this Court in Writ Petition No.39888 of 2015 dated 09.12.2015 and that a large number of similar and identical cases have been

disposed of directing the authorities to release the seized vehicles in terms of G.O.Ms.No.3, Industries and 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.

5. While concurring with the aforesaid submissions made by the learned counsel for the petitioner, the learned Government Pleaders would submit that this writ petition may be disposed of in similar lines to the order of this Court in writ petition No.39888 of 2015.

6. In view of the above, the second respondent is hereby directed to consider the application of the petitioners dated 17.8.2016 for release of the vehicles and pass appropriate orders thereon in the light of the aforementioned G.Os within a period of three weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

T.SUNIL CHOWDARY, J

23.08.2016

Rns