

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

WRIT PETITION No.376 of 2016

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06.01.2016

Between:

Dhanekula Harish

.. Petitioner

and

The State of Andhra Pradesh,
represented by its Principal Secretary,
Revenue Department,
Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.P.S.P.Suresh Kumar

Counsel for respondent Nos.1 to 3: Assistant Government Pleader
for Revenue (AP)

Counsel for respondent No.4: Assistant Government Pleader for Home (AP)

The Court made the following:

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ORDER:

Alleging that his tractor and trailer bearing registration Nos.AP 16 TA 1009 and AP 16 TA 0131 respectively were seized by a Constable attached to respondent No.4 Police Station on 20.12.2015, the petitioner filed this writ petition for a *mandamus* to declare the said seizure as illegal and arbitrary.

At the hearing, the learned Assistant Government Pleader for Revenue (AP) appearing for respondent Nos.1 to 3 has submitted that the writ petition is based on vague and unsubstantiated allegations, in that, proper details as to the seizure of the tractor and trailer, registration of F.I.R. and the application allegedly made by the petitioner for release of the seized vehicles have not been pleaded.

The learned counsel for the petitioner has submitted that though an application was sought to be made before respondent No.3, the latter has not received the same.

In the light of the above facts and circumstances of the case, the petitioner is permitted to make an application for release of the seized vehicles before respondent No.3. Within a period of one week from the date of receipt of such application, respondent No.3 shall consider the same, take an appropriate decision as per G.O.Ms.No.95, Industries & Commerce (Mines-IV) Department, dated 28.08.2014, and communicate the same to the petitioner.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal the writ petition, W.P.M.P.No.472 of 2016 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

06th January, 2016
GHN