

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.29323 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the action of the respondents in seizing petitioners' Goods Carriage (Lorries) bearing registration Nos.AP 24V 3057 and AP 29T 2678 without following any procedure, as illegal and arbitrary.

2. Heard the learned counsel for the petitioners, the learned Government Pleaders for Home, Revenue and Mines and Geology (Telangana).

3. The first petitioner claims that he is the owner of the goods carriage (Lorry) bearing registration No.AP 24V 3057. The second petitioner claims that he is the owner of the goods carriage (Lorry) bearing registration No.AP 29T 2678. A perusal of the record reveals that the second respondent seized the vehicles of the petitioners alleging that the petitioners were transporting sand illegally in the vehicles in question.

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 petitioners, 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 22.08.2016 for release of the vehicles and pass appropriate orders thereon in the light of the aforementioned G.Os within a period of two 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

Date: 31.08.2016
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