

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.3104 OF 2017

ORDER:

This writ petition is filed for a mandamus to declare the action of respondent No.2 in seizing the petitioner's Tipper bearing registration No.TS 12UA 8250 as illegal and arbitrary. The petitioner sought for a consequential direction to the respondents to release the seized vehicle.

2. It is submitted by the learned counsel for the petitioner that on 22.01.2017, the 2nd respondent – Stations House Officer, seized the aforementioned vehicle on the allegation that it was used for illegal transportation of sand.

3. 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 seized vehicle.

4. In view of the above, the writ petition is disposed of, permitting the petitioner herein to make an application before the 2nd respondent for release of the seized vehicle and the 2nd respondent herein is further directed to consider the same

and pass appropriate orders as per the aforementioned G.Os., for release of the seized vehicle, within a period of three days from the date of submission of the application by the petitioner herein.

5. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

31.01.2017
SS

