

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.24937 OF 2017

ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of the respondents in seizing the petitioners tractors bearing No.AP 27 BB 7494 along with trailer No.AP 27 BB 7495 and AP 04 AX 2710 along with trailer No.AP 04 AX 2711, without following due procedure contemplated under the A.P.Minor Concession Rules, 1966 and the Mines and Mineral (D&R) Act, 1957, as illegal and arbitrary and for a consequential direction to the respondents to release the above vehicles from the custody of the respondents forthwith.

Heard learned counsel for the petitioners who submits that in similar circumstances this Court disposed of WP.No.21057 of 2015, dated 05.07.2017, and the same is not disputed by the learned Assistant Government Pleader for Mines and Geology.

In view of the above, following the order of this Court in WP.No.21057 of 2015 dated 05.07.2017, this writ petition is disposed of directing the respondents to release the vehicles to the interim custody of the petitioners, subject to condition of their furnishing third party security to the satisfaction of the competent authority and also on production of original R.C. The petitioners are further directed to furnish undertaking that they will not alienate, change the physical features of the vehicles

and produce the vehicles, as and when required by the respondent authorities, till the enquiry is concluded. This order does not preclude the authorities from conducting enquiry and passing further orders. The interim release of the seized vehicles is subject to the result of the enquiry to be completed by the authorities. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

27.07.2017
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A.RAJASHEKER REDDY, J

