

HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.10970 of 2017

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“..... to issue writ order or direction especially one in the Nature of Writ of Mandamus declaring the seizure of the petitioners goods vehicles bearing Nos.AP 15X 7048 & TS 23T 0189 is illegal, arbitrary and violative of Article 19(1)(g) of the Constitution of India and consequently direct the respondents 2 & 3 to release the petitioners vehicles....”

2. Heard the learned counsel for the petitioners and learned Government Pleader for Panchayat Raj & Rural Development (Telangana).

3. The Petitioners herein claims to be the owners of vehicles bearing Nos.AP 15X 7048 & TS 23T 0189 and they were seized at Yellareddypeta Mandal, Rajanna Sircilla District, by the 2nd respondent – Station House Officer, as if the petitioners were transporting the sand illegally. It is the case of the petitioners that they have been transporting the sand after obtaining necessary permission and way bills from the concerned authority.

4. At the time of arguments, learned counsel for both the parties, in one voice, submitted that the subject matter involved in this writ petition is squarely covered by the order

of this Court in W.P.Nos.4446 and 8360 of 2015 and hence, this writ petition may be disposed of.

5. Accordingly, this writ petition is disposed of, granting liberty to the petitioners to make appropriate application to the 3rd respondent – Tahsildar, Yellareddypeta Mandal, Rajanna Sircilla District, by enclosing copies of the transit way bills and the documents in proof of ownership. The Tahsildar shall consider the same and after satisfying with the genuineness of the transit way bills and the ownership, he shall release the vehicles. If he is not satisfied on the validity of the way bills, he shall release the vehicles subject to fulfilment of the norms laid down in G.O.Ms.No.15, Industries & Commerce (Mines.I) Department, dated 19.02.2015, by imposing prescribed penalty provided therein and such exercise shall be completed within a period of three weeks from the date of receipt of a copy of this order.

6. As a sequel, Miscellaneous Petitions pending consideration, if any, in the Writ Petition shall stand closed. No order as to costs.

JUSTICE A.V. SESA SAI

28.03.2017.
Msr

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