

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

WRIT PETITION No.26719 of 2017

ORDER:

This Writ Petition is filed for the following relief:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue Writ, Order or direction, preferably a Writ in the nature of Mandamus by declaring the action of respondents in seizing the petitioners’ vehicles i.e., Tractor bearing No.AP01 Y 6056 and Trailer bearing No.AP22 R 0365 & Tractor bearing No.AP27 N 8191 and Trailer bearing No.AP27 N 8190 without following any procedure as envisaged under Govt. Orders vide G.O.Ms.No.3, dated 08.01.2015, Industries and Commerce (Mines-I) Department and G.O.Ms.No.15, dated 19.02.2015 as illegal, arbitrary, highhandedness and against the principles of natural justice and violative of Articles 14, 16, 19(1)(g), 21, 300A and 301 of the Constitution of India and consequential directions to the respondents to give interim custody and release the petitioners vehicles.”

When the matter is taken up, it is submitted by the learned counsel for the petitioners so also the learned Government Pleaders appearing for the respondents that the issue in the present Writ Petition is squarely covered by the order of this Court in Writ Petition No.21057 of 2017 dated 05.07.2017. A copy of the same is also placed on record. Operative portion of the said order reads as under:

“In view of the above and following the orders of this Court in W.P.No.17136 of 2017 dated 15.06.2017, the respondents are directed 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 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.

With the above direction, the writ petition is disposed of.”

Following the above said order and for the reasons recorded therein, this Writ Petition is also disposed of in terms thereof.

Office to enclose a copy of the order, dated 05.07.2017 in Writ Petition No.21057 of 2017, to this order.

Consequently, Miscellaneous Petitions, if any pending in this Writ Petition, shall stand closed. No order as to costs.

9th AUGUST, 2017.

A.V.SESHA SAI, J

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