

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

WRIT PETITION No.2665 OF 2017

ORDER:

This writ petition is filed for a mandamus to declare the action of respondent No.2 in seizing the petitioner's Mini Tipper bearing registration No.TS 10UA 2537 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 14.01.2017, the 2nd respondent – Stations House Officer, seized the aforementioned vehicle on the allegation that it was used for illegal transportation of sand and the petitioner herein orally requested the 2nd respondent herein for release of the seized vehicle.

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.

27.01.2017
SS

A.V.SESHA SAI, J

