

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.16867 of 2017

ORDER:

This Writ Petition is filed for a mandamus to declare the action of respondents in not releasing the petitioners' vehicles bearing Nos. TS 05 UB 5053 and TS 05 UB 5052; AP 24 TB 6225 and AP 24 TB 6227 as illegal and arbitrary.

The petitioners are pleaded that they are the owners of the above mentioned vehicles and they were seized on 04.05.2017 on the ground that the petitioners were transporting the sand illegally without any transit pass. Petitioners further averred that alleged violation is first instance they are entitled to get the seized vehicles released by paying the prescribed penalty in terms of G.O.Ms.No.15, Industries and Commerce (Mines – I), Department, dated 19.02.2015 and that in spite of the representation dated 04.05.2017, made to respondent No.2 for release of the vehicles, no order as such has been made so far.

Inasmuch as, 2nd respondent is also authorised to release the seized vehicles in terms of above said G.O., this Court feels it appropriate that the petitioners make the applications before him as he is the one who has seized the petitioners' vehicles and is evidently in custody of the same. Hence, the petitioners are permitted to make the applications to the 2nd respondent for release of the seized vehicles. Within three days of receipt of such applications, the 2nd respondent shall consider, take appropriate decision thereon and communicate the same to the petitioners.

Subject to the above direction, the writ petition is disposed of.
No costs.

Consequently, miscellaneous petitions pending, if any, shall also stand dismissed.

CHALLA KODANDA RAM, J.

Date:11.05.2017
Gk

