

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

WRIT PETITION No.2204 of 2017

ORDER:

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

“to issue writ of Mandamus to declare the action of the 2nd Respondent herein in not releasing the Tractor bearing No. AP 15 AA 7239, John Deere Green Colour), as interim custody pending adjudication of confiscation proceedings despite petition being filed on 13-12-2016, as illegal, arbitrary, and violative of Principles of Natural Justice and infringement of Fundamental Rights as guaranteed under Article 19 (1) (g) & 21 of the Constitution of India, and consequently, direct the Respondents to release the Tractor forthwith.”

Heard Sri G. Anandam, learned counsel for the petitioner and learned Government Pleader for Forest for respondents.

When the matter is taken up, it is submitted by learned counsel for the petitioner that for redressal of the grievance of the petitioner, the petitioner herein submitted a representation on 13-12-2016 to the 2nd respondent herein and no orders have been passed on the said representation so far. A request is made by the learned counsel for the petitioner to direct the 2nd respondent to pass appropriate orders on the representation, dated 13-12-2016, in

accordance with law, by fixing some timeframe. The said request is not opposed by the other side and he submitted that the said representation would be considered, in accordance with law.

For the aforesaid reasons, without expressing any opinion on the merits and demerits of the matter, the writ petition is disposed of, directing the 2nd respondent to consider and pass appropriate orders on the representation, dated 13-12-2016 said to have been submitted by the petitioner herein, in accordance with law, after giving notice and opportunity of being heard to all the stakeholders, within a period of two (2) weeks from the date of receipt of a copy of this order.

Miscellaneous Petitions pending, if any, shall stand closed. There shall be no order as to costs.

A.V. SETHA SAI, J

January 30, 2017

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