

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

WRIT PETITION No.1963 of 2017

ORDER:

This writ petition is filed for a mandamus to declare the action of respondent No.2 in seizing the petitioner's goods carriage bearing No. AP 29 TB 0869 as illegal and arbitrary. The petitioner sought for a consequential direction to the respondents to release the seized vehicle.

The petitioner pleaded that on 08.01.2017, respondent No.2 has seized the aforementioned vehicle on the allegation that it was used for illegal transportation of sand and that he has made an application, dated 10.01.2017, to respondent No.2, who is the competent authority, for release of the seized vehicle. The petitioner's grievance is that no action has been taken by respondent No.2 on his application so far.

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.

In view of the above noted facts, it is appropriate that respondent No.2 considers release of the seized vehicle. Since the petitioner has already submitted his application, dated 10.01.2017, to the said respondent, he is 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 receipt of a copy of this order.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, W.P.M.P.No.2259 of 2017 filed by the petitioner for interim relief shall stand disposed of as infructuous.

20th January, 2017
ssp

A.V. SESA SAI, J

