The Hon'ble Sri Justice M.Seetharama Murti

Writ Petition No.44225 of 2017

Dated 22.12.2017

Order:

This Writ Petition, under Article 227 of the Constitution of India, is filed by the petitioners questioning the seizure of their Motor Vehicles bearing Nos.TS06 EL 0205 & AP28 TB 2941 and AP22 AG 9672 & AP22 AG 9671, as illegal, arbitrary and unconstitutional.

At the hearing, learned Counsel for the petitioners and learned Government Pleader for Home (TS) appearing for respondents 1 and 2 are in agreement that the issue involved in the present Wit Petition is squarely covered by Order, dated 30-07-2017, of this Court in WP.No.34465 of 2017. A copy of the said Order is placed on record.

Having regard to these submissions and the terms of G.O.Ms.No.15, dated 19-02-2015, this Writ Petition is disposed of with the following directions:

"The petitioners are at liberty to approach either the learned Magistrate before whom the vehicles were said to have been produced and file application/s as per the procedure established by law and seek release of the vehicle/s by bringing

to the notice of the Court, the policy decision taken by the Government and the terms of the G.O.Ms.No.15, dated 19.02.2015, if the petitioners so desire; or, in the alternative they may make a request to the 2nd respondent by filing appropriate application/s for release of the vehicles; and, if any such application/s come/s to be filed before the 2nd respondent, the 2nd respondent is at liberty to pass appropriate orders as per terms of G.O.Ms.No.15, dated 19.02.2015, after examining the competence and jurisdiction to release the vehicles, which were said to have been produced before the Court concerned. It is needless to state that the application/s, if any, filed by the petitioners before either the Court or the 2nd respondent shall be disposed of on the same day in the interests of justice."

There shall be no order as to costs.

As a sequel, Miscellaneous Petitions, pending if any, shall stand closed.

(M.Seetharama Murti, J)

Dt: 22nd December, 2017

Note:
Issue CC in three days
(B/o)
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