

WRIT PETITION No.3594 of 2018

ORDER:

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

“to issue a Writ of Mandamus or any other appropriate Writ, Order or Orders, Direction or Directions directing the 2nd and 3rd respondents to act in accordance with law and to release the tractors belonging to the petitioners bearing Nos.AP01Y8060 and TS01ED0499 along with their trailers bearing Nos.AP1U3359 and TS19T0780 which were seized on 19.01.2018 in accordance with G.O.Ms.No.15 dated 19.02.2015 issued by the 1st respondent, forthwith, and pass such other ...”

2. Heard both sides and perused the prayer in the writ petition with supporting affidavit and G.O.Ms.No.15 dated 19.02.2015 of Industries and Commerce (Mines-I) Department.

3. A perusal of the said G.O. particularly from para-12 clauses (3) and (4) is crystal clear that if the vehicle/ machinery is found involved in more than two times, such vehicle/ machinery along with sand shall be seized and confiscated by the license authorized mentioned therein in clause (3) and the procedure contemplated is in clause (4).

4. Having regard to the above, this Writ Petition is disposed of directing the respondents to follow the procedure contemplated by G.O.Ms.No.15 dated 19.02.2015, if the petitioner chooses to abide by.

5. Consequently, miscellaneous petitions, if any shall stand closed. No order as to costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 06.02.2018
pab