

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.11462 of 2018

O R D E R:

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

“.....to issue any appropriate writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in seizing the JCB (Vehicle) Registration bearing No AP23AG1811 belonging to the petitioner as illegal and arbitrary and Violative of Articles 19(1)(g) and 21 of the Constitution of India.....”

2. The petitioner pleaded that on 29.03.2018, 3rd respondent has seized the aforementioned vehicle on the allegation that it was used for illegal transportation of sand.

3. 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, 3rd respondent, who is stated to have seized the vehicle, is competent to release the seized vehicle.

4. In view of the above noted facts, it is open to the petitioner herein to file an application before the 3rd respondent to release the said vehicle. If any such application

is made, 3rd respondent shall 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. No order as to costs.

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

M.S.RAMACHANDRA RAO, J

06th April, 2018.
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