

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

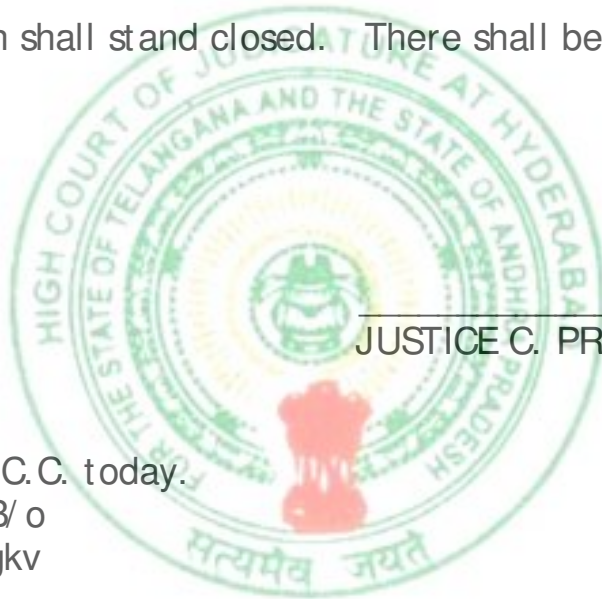
WRIT PETITION No. 40399 of 2018

ORDER:

- 1) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in seizing the petitioners vehicles ie. Tractors & Trailers bearing Nos. TS 02 UC 0506 and TS 02 UC 0507 and AP 01 Y 3218 and AP 01 W 7301, as illegal and arbitrary.
- 2) At the time when the matter is taken up for hearing, the Government Pleader for Mines and Geology would submit that the seized vehicles were deposited before the Court concerned on 05.11.2018.
- 3) In view of the orders passed by this Court earlier in W.P.No.31282 of 2018, learned counsel for the petitioners would submit that since the petitioners stand on the same footing as that of the petitioner in W.P.No.31282 of 2018, subject vehicles may be directed to be released on such terms and conditions as prescribed in G.O.Ms.No.15, dated 19.02.2015.
- 4) It is to be noted here that in the instant case the vehicles were produced before the Court and they are now in the custody of the Court as the Court accepted the custody of the vehicles when produced before it.

5) Having regard to the facts and circumstances of the case and in view of the fact that the order passed earlier in W.P.No.31821 of 2018, the petitioners shall make an application before the concerned Court seeking release of the vehicles, after giving prior notice to the concerned Public Prosecutor, in which event the same shall be disposed of on the same day, in accordance with law.

6) Accordingly, the writ petition is disposed of. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.



JUSTICE C. PRAVEEN KUMAR

13.11.2018

Note: Issue C.C. today.

B/o
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7) At the time when the matter is taken up for hearing, the Government Pleader for Mines and Geology, on instructions, would submit that the Additional Judicial Magistrate of First Class, Manthani, ordered for release of the subject vehicle vide Dis.No.776, dated 01.11.2018.

8) Having regard to the above, and since an order came to be passed by the Additional Judicial Magistrate of First Class, Manthani, ordering release of the subject vehicle on certain terms and conditions, I see no grounds to entertain the present writ petition.

9) Accordingly, the Writ Petition is dismissed. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

05.11.2018
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JUSTICE C. PRAVEEN KUMAR

