

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.41040 OF 2018

ORDER:

The present writ petition came to be filed seeking to declare the action of the 2nd respondent in seizing the tractor and trailer bearing No.T.S-16ER-7615 with Chassis No.A.Z.Y.S.G 721598S3, without following any procedure under Statutes contemplated under Section 9Q (7) of Minor Mineral Concession Rules belonging to the petitioner, as illegal and arbitrary.

On 3.11.2018, the 2nd respondent has seized the above said vehicle of the petitioner at Dandigutta Village, on the allegation that the petitioner was carrying the sand illegally and kept the same under his custody. The 2nd respondent has registered a crime in F.I.R.No.129 dated 3.11.2018 under Section 379 of IPC and other relevant sections.

Learned Standing Counsel for the 1st respondent would submit that the above said vehicle of the petitioner was not released and the same is under the custody of the 2nd respondent.

Having regard to the above, the writ petition is disposed of directing the petitioner to submit an application before the 2nd respondent seeking release of the tractor and trailer bearing No.T.S-16ER-7615 with Chassis No.A.Z.Y.S.G 721598S3, before whom the vehicle is said to have been kept under custody, in which event, the 2nd respondent shall deal with the same and pass appropriate orders on the same day, as per terms of G.O.Ms.No.15, dated 19.02.2015. No order as to costs.

Miscellaneous Petitions pending consideration, if any, in this
Writ Petition shall stand closed.

C. PRAVEEN KUMAR,J

Date:15.11.2018.
Gk



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