

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 166 of 2019

ORDER:

This Writ Petition is filed for the following relief:

“.....to issue writ, order or direction especially one in the nature of Writ of Mandamus declaring the seizure of the petitioner's Tractor and Trailer bearing Nos. AP 24 AC 3380 and AP 24 AC 3379 is illegal, arbitrary and violative of Article 191(g) of the Constitution of India and consequently direct the respondents to release the petitioner's Tractor and Trailer bearing Nos. AP 24 AC 3380 and AP 24 AC 3379 by collecting penalty as per G.O. Ms.No.15 dt 19.02.2015.”

It is submitted by the learned counsel for the petitioner that the issue raised in the present Writ Petition is squarely covered by the order, dated 22.11.2018, passed by this Court in Writ Petition No.42282 of 2018.

Relevant portion of the ~~aforsaid~~ order reads as under:

“Having regard to the submissions and the terms of G.O.Ms.No.15, dated 19.02.2015, the Writ Petition is disposed of with the following directions: ‘The petitioner is 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 vehicles 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 petitioner so desires; or, in the alternative he 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 petitioner before either the Court or the 2nd respondent shall be disposed of on the same day in the interests of justice."

Following the aforesaid order and for the reasons stated therein, this Writ Petition is also disposed of in terms thereof.

Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of. There shall be no order as to costs.

Dt:04.01.2019

kdl

CHALLA KODANDA RAM, J

