

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 12464 of 2019

Date : 24.6.2019

Between:

Godugu Babu S/o Godugu Rajaiah
Aged about 35 years
Occ Owner of the vehicle bearing No TS 36 T 4166
Goods Carriage R/o H No 3-35
Hanuman Nagar Siddipet
Telangana State

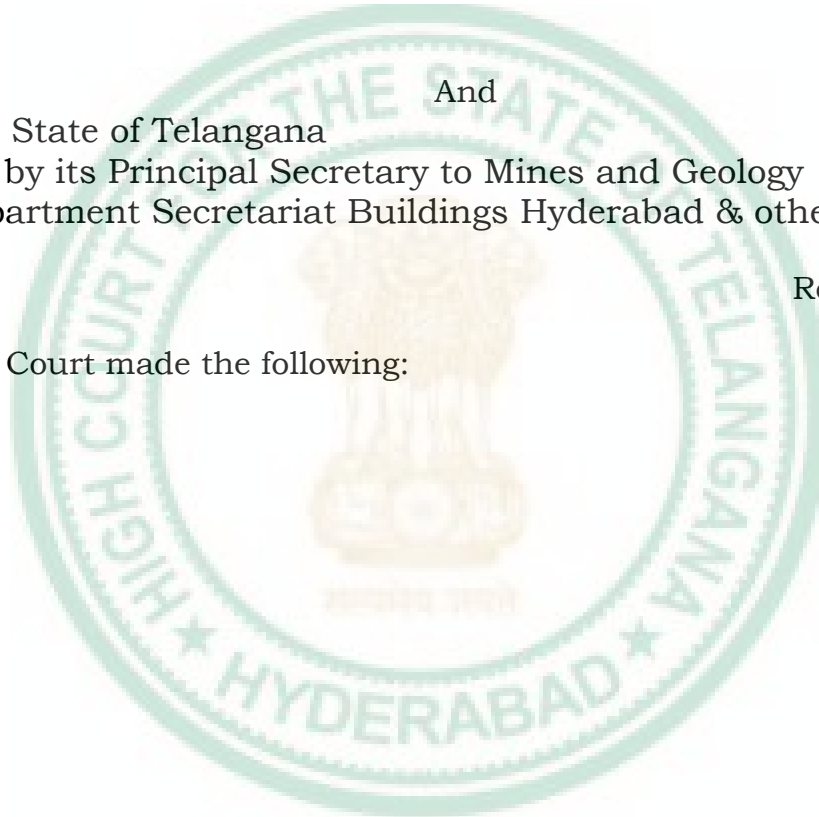
Petitioner

And

The State of Telangana
rep by its Principal Secretary to Mines and Geology
Department Secretariat Buildings Hyderabad & others

Respondents

The Court made the following:



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ORDER:

This Writ Petition is filed praying to direct the respondents to release the vehicle. Petitioners allege their vehicles were seized by the 2nd respondent on the allegation of illegal transportation of sand.

2. Learned counsel for petitioners submits that on 18.6.2019 representation was made by the petitioners requesting the Sub Inspector of Police, Chinnakodur Police Station to release the vehicles agreeing to pay the compounding fee as mandated by the Government. It appears, no orders are passed as on today. However, there is no proof of filing such representation before the Station House Officer.

3. Since there is no proof of filing of representation, it cannot be said that respondents are acting illegally in not attending to grievance of petitioners. Therefore, Writ Petition is disposed of with the following directions:

4. Petitioners are at liberty to approach either the learned jurisdictional Magistrate before whom the vehicles might have been produced and file applications 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, Industries and Commerce (Mines-I) Department, dated 19.02.2015, if the petitioners so desire; or in the alternative they may make a request to the 2nd respondent by filing appropriate application for release of vehicle, if not already filed and not received by the 2nd respondent; and if any such application is 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, if same were produced before the Court concerned. It is needless to

state that the applications, if any, filed by the petitioners before either the Court or the 2nd respondent, shall be disposed of within three days from the date of filing in the interest of justice. Pending miscellaneous petitions shall stand closed.

24th June, 2019
Tvk

P.NAVEEN RAO,J



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