

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.14641 OF 2019

Date: 17.07.2019

Between:

G.Subba Raju s/o. Ramaraju, 39 years,
Owner of Lorry bearing No.TS 07UF 1111,
r/o.H.No.59/120/122/1, Adiya Enclave,
Serilingampally, R.R. district.

.....Petitioner

and

The State of Telangana, rep.by its Prl.Secretary,
Mines & Geology Department, Secretariat Buildings,
Hyderabad and 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. Petitioner alleges that his vehicle was seized by the 2nd respondent on the allegation of illegal transportation of sand.

2. Learned counsel for petitioners submits that a representation was made by the petitioner requesting the Station House Officer, Mahadevpur Police Station to release the vehicle 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 acting illegally in not attending to grievance of petitioner.

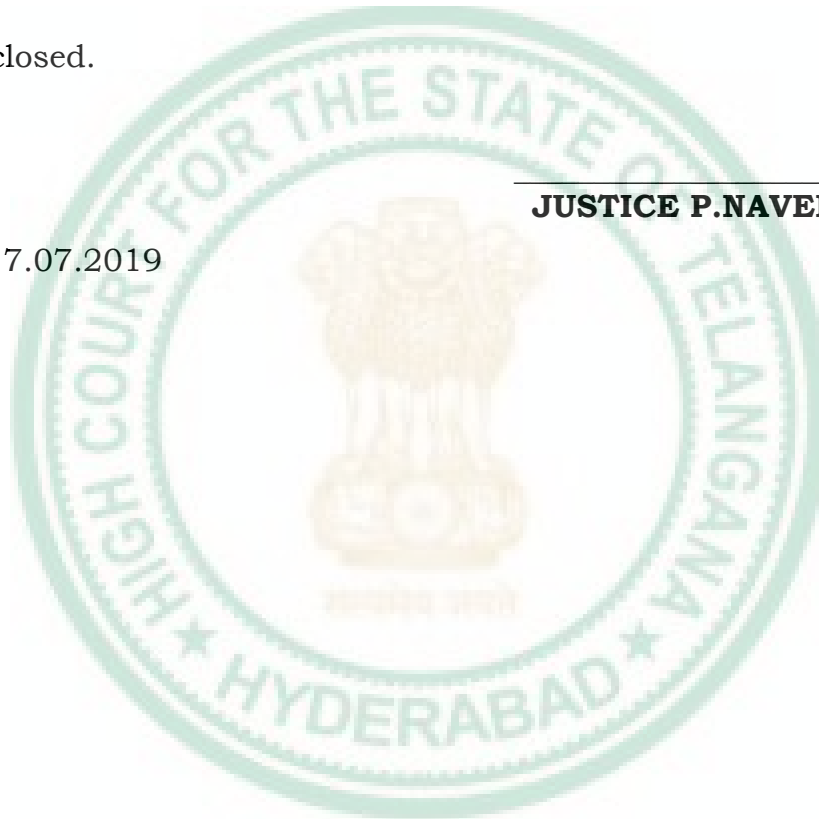
4. On instructions, learned Government Pleader submits that said vehicle was deposited in the Court of Additional Judicial Magistrate of First Class, Manthani on 16.07.2019. In view of the same, the Writ Petition is disposed of with the following directions:

5. Petitioner is at liberty to approach the learned jurisdictional Magistrate before whom the vehicle has been deposited and file application as per the procedure established by law and seek release of the vehicle 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 petitioner so desire. If any such application is filed before the concerned Court, the Court 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 vehicle. It is needless to state that the application, if any, filed by the petitioner before the Court shall be disposed of expeditiously, at any rate, within four weeks from the date of filing in the interest of justice. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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