

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.15184 OF 2019

Date: 23.07.2019

Between:

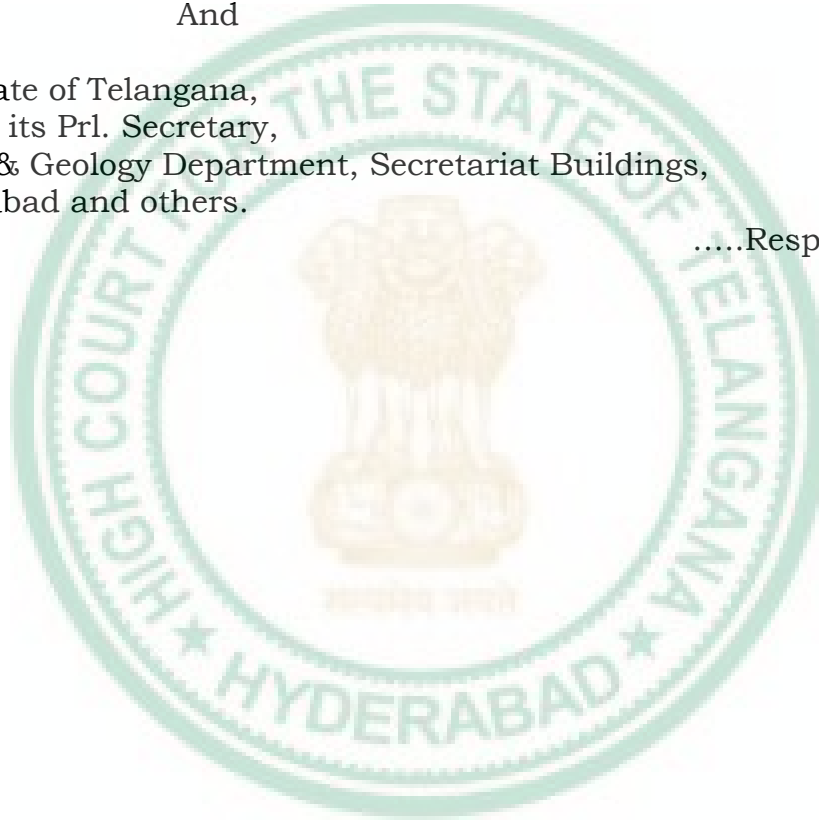
Kura Anil Kumar S/o.Narayana,
Aged 51 yrs, Present Owner of Goods Carriage
HMV No.TS 10UA 2537,
R/o.5-5, Allipur Village, Chinnakodur Mandal,
Siddipet District, previously owner of Goods Carriage,
HMV No.TS 10UA 2537 is Nagula Prashanth
S/o.Shankar Goud.

.....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:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.15184 OF 2019

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 petitioner submits that on 17.07.2019 representation was made by the petitioner requesting the Station House Officer, Siddipet Rural 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. Therefore, Writ Petition is disposed of with the following directions:

Petitioner is at liberty to approach either the learned jurisdictional Magistrate before whom the vehicle may have been produced 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; or in the alternative he 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 vehicle, if same was produced before the Court concerned. It is needless to state that the application, if any, filed by the petitioner 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.

P.NAVEEN RAO, J

23rd July, 2019
Rds

