

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.16220 of 2019

Date : 1.8.2019

Between:

Kuna Anjaiah S/o Kuna Narsaiah
Aged about 45 years Occ Agriculture Rio H No 277
Gannervaram Village Gannervaram Mandal
Karimnanagar Distict Telangana State

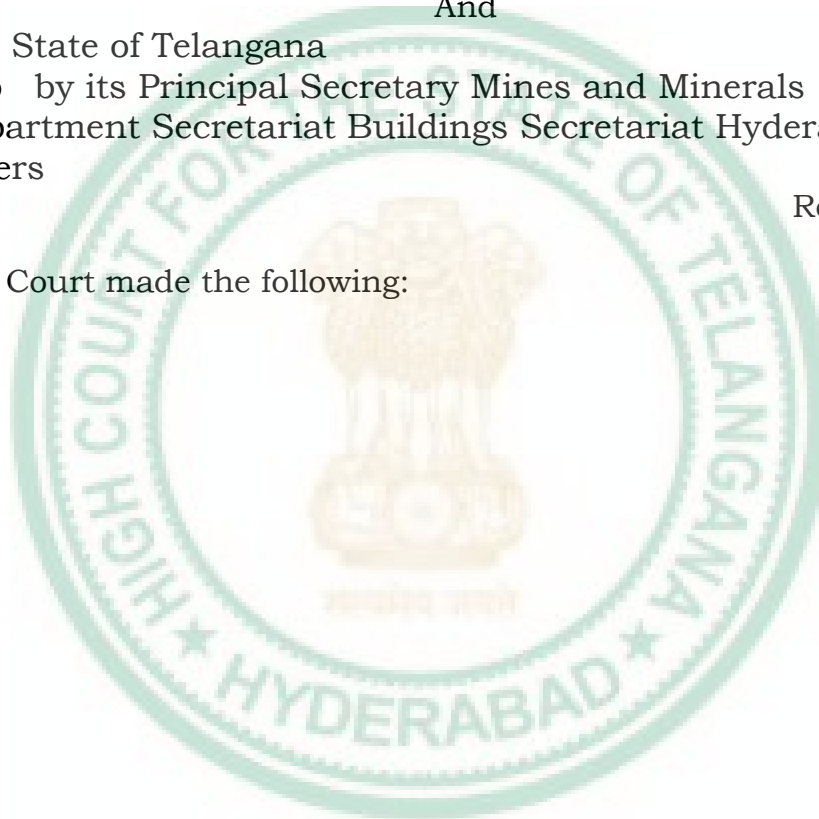
Petitioner

And

The State of Telangana
Rep by its Principal Secretary Mines and Minerals
Department Secretariat Buildings Secretariat Hyderabad and
others

Respondents

The Court made the following:



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ORAL ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“...to issue any appropriate writ order or direction more particularly one in the nature of Writ of Mandamus (i) declaring the action of the respondents in seizing the Ashoka Leyland Tipper vehicle for Agricultural purpose bearing Registration No TS02U1631 belonging to the petitioner as illegal and arbitrary and Violative of Articles 191g and 21 of the Constitution of India (ii) Consequently direct the respondents to release the Ashoka Leyland Tipper for Agricultural purpose bearing Registration No TS02U1631 belonging to the petitioner (iii) and pass....”

2. The petitioner pleaded that on 28.9.2018, respondent No.4 has seized the aforementioned vehicle on the allegation that it was used for illegal transportation of sand.

3. At the hearing, it is submitted by the learned counsel for both parties that as per G.O.Ms.No.3, Industries & Commerce (Mines-I) Department, dated 08.01.2015, as amended by G.O.Ms.No.15, Industries & Commerce (Mines-I) Department, dated 19.02.2015,

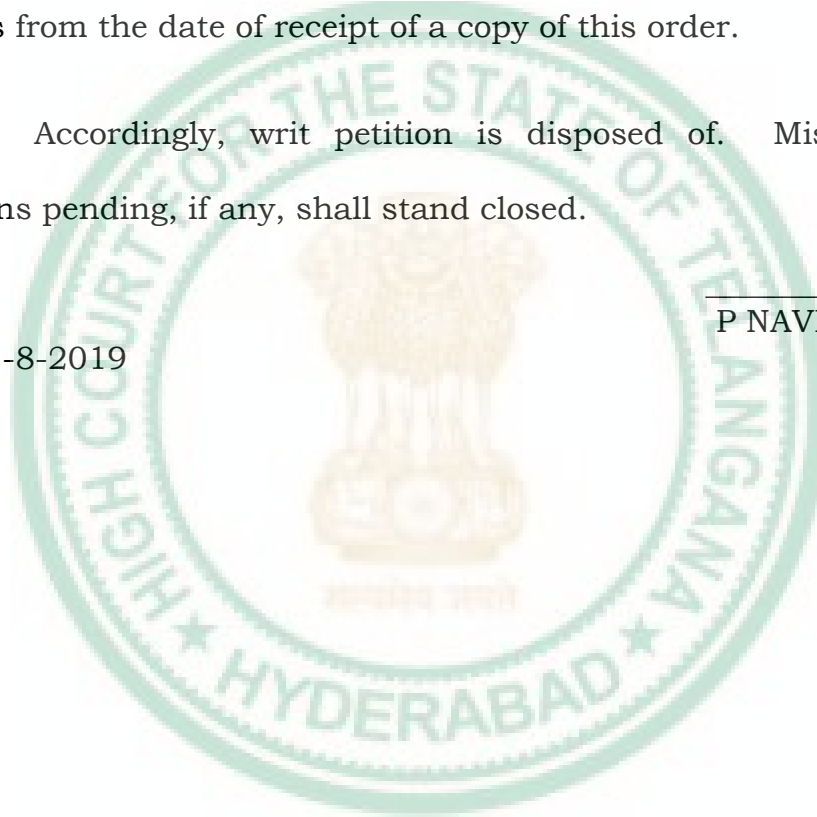
respondent No.4, who is stated to have seized the vehicle, is competent to release the seized vehicle.

4. In view of the above noted facts, it is open to the petitioner herein to file an application before the 4th respondent to release the said vehicle. If any such application is made, the said respondent shall consider the same and pass appropriate orders as per the aforementioned G.Os., for release of the seized vehicle within a period of three days from the date of receipt of a copy of this order.

5. Accordingly, writ petition is disposed of. Miscellaneous applications pending, if any, shall stand closed.

DATE: 01-8-2019
TVK

P NAVEEN RAO,J



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