

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 17780 of 2019

Date : 20.8.2019

Between:

B Thimmappa s/o Ramudu Age 35
R/o H No 3-13 Gonpad
Gadwal Jogulamba Gadwal & others

Petitioner

And

The State of Telangana
Represented by its Principal Secretary Mines and
Geology Department Secretariat at 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 vehicles. Petitioners allege that their vehicles were seized by the 3rd respondent on the allegation of illegal transportation of sand.

2. Learned counsel for petitioners submits that on 26.7.2019 representations were made by the petitioners requesting the Station House Officer, Rajoli Police Station to release the vehicles. It appears, no orders are passed as on today. However, there is no proof of filing such representations before the Station House Officer.

3. Since there is no proof of filing of representations, 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 in terms of G.O.Ms.No.15, Industries and Commerce (Mines-I) Department, dated 19.02.2015, if the petitioners so desire, after examining the competence and jurisdiction to release the vehicles, if it was produced before the Court concerned; or in the alternative they may make a request to the 3rd respondent by filing appropriate

applications for release of vehicles, if not already filed and not received by the 3rd respondent; and if any such applications are filed before the 3rd respondent, the 3rd respondent is at liberty to pass appropriate orders as per terms of G.O.Ms.No.15, dated 19.02.2015. It is needless to state that the applications, if any, filed by the petitioners before either the Court or the 3rd respondent, shall be disposed of within three days from the date of filing in the interest of justice. Pending miscellaneous petitions shall stand closed. No order as to costs.

P.NAVEEN RAO, J

Date: 20.8.2019
tvk



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