

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

W.P.No. 19600 of 2019

Date: 9.9.2019

Between :

Gopal Golla and another.

Petitioner

And

State of Telangana, rep. by its
Principal Secretary, Industries and
Commerce (Mines-II) Department,
Secretariat Building, Hyderabad & others.

Respondents



This court made the following :

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ORDER :

This Writ Petition is filed praying to direct the respondents to release the vehicles bearing Nos.TS 12 UB 3582 & AP 21U 7475 of the petitioners.

2. Petitioners allege that their vehicles were 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 petitioners, requesting the Station House Officer, Mahabubnagar (Rural) 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:

Petitioners are at liberty to approach the learned jurisdictional Magistrate before whom the vehicles have been deposited 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 G.O.Ms.No.15, Industries and Commerce (Mines-I) Department, dated 19.02.2015, if the petitioners so desires. If any such application is filed before the Court concerned, the Court is at liberty

to pass appropriate orders as per the terms of G.O.Ms.No.15 dated 19.2.2015, after examining the competence and jurisdiction to release the vehicles. It is needless to state that the application, if any, filed by the petitioners before the Court, the same shall be disposed of expeditiously, at any rate, within a period of four weeks from the date of its filing, in the interest of justice. Pending miscellaneous petitions shall stand closed. No order as to costs.

P.NAVEEN RAO,J

Date: 9.9.2019
DA



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