

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.20132 OF 2019

Date: 19.09.2019

Between:

Rapolu Venkanna S/o.Laxmaiah,
Aged about 48 yrs, Occu : Agriculture,
R/o.H.No.2-182, P.Domalapalle,
Nalgonda, Nalgonda District & others.

.....Petitioners

And

The State of Telangana,
Rep., by its Principal Secretary,
Mines & Geology Department,
Secretariat Buildings, Hyderabad & others.

.....Respondents



The Court made the following:

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION NO.20132 OF 2019****ORDER:**

This Writ Petition is filed praying to direct the respondents to release the vehicles. Petitioners allege that their vehicles are seized by the 2nd respondent on the allegation of illegal transportation of sand.

2. Learned counsel for petitioners submits that on 16.08.2019 a representation was made by the petitioners requesting the Station House Officer, Munugode Police Station, Nalgonda to release the vehicles. 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 either the learned jurisdictional Magistrate before whom the vehicles may have been produced and file application 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 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 2nd respondent by filing appropriate application for release of vehicles, 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. It is needless to state that the application, if any, filed by the petitioners 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. No order as to costs.

19th September, 2019
Rds

P.NAVEEN RAO, J

