

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

W.P.No.21883 of 2019

Date: 1.10.2019

Between :

Dhandu Venkataiah

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 Lorry bearing No.TS06 UC 5559 of the petitioner.

2. 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 a representation was made by the petitioner, requesting the Station House Officer, Thimmajipet Police Station, Nagar Kurnool district 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 are 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 the learned jurisdictional Magistrate before whom the vehicle was deposited 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 G.O.Ms.No.15, Industries and Commerce (Mines-I) Department, dated 19.02.2015, if the petitioner 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 vehicle. It is needless to state that the application, if any, filed by the petitioner 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: 1.10.2019
DA



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