

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 24223 of 2019

Date : 06.11.2019

Between:

Neelakantam Dhanunjaya S/o Gopalulu Aged about 25 years
Occ Agriculture R/o 589 Kanagal Nalgonda District
Petitioner

And

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

The Court made the following:



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ORAL ORDER:

This Writ Petition is filed praying to direct the respondents to release the vehicle. Petitioner alleges that his vehicle was seized by the 3rd respondent on the allegation of illegal transportation of sand.

2. Learned counsel for petitioner submits that petitioner approached 3rd respondent-Station House Officer, Chinnakoduru Police Station requesting to release the vehicle agreeing to pay the compounding fee as mandated by the Government. It appears, no orders are passed as on today.

3. Since petitioner has not filed any representation seeking release of vehicle, it cannot be said that respondents acting illegally in not attending to grievance of petitioner. Therefore, Writ Petition is disposed of with the following directions:

4. Petitioner is at liberty to approach either the learned jurisdictional Magistrate before whom the vehicle might have been produced 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 the G.O.Ms.No.15, Industries and Commerce (Mines-I) Department, dated 19.02.2015, if the petitioner so desires; or in the alternative he may make a request to the 3rd respondent by filing appropriate application for release of vehicle, if not already filed and not received by the 3rd respondent; and if any such application is 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, after examining the competence and jurisdiction to release the vehicle, if same were produced before the Court concerned. It is needless to state that the application, if any, filed by the petitioner 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.

DATE: 6.11.2019
TVK

P NAVEEN RAO,J



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