

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.25534 OF 2019

Date: 20.11.2019

Between:

M.Shivanna, s/o. Anjaneyulu, aged 27 years,
Occu: Agriculture, r/o. H.no.1-73, Gonpad,
Mahabubnagar and another.

.....Petitioners

and

The State of Telangana, rep.by its Prl.Secretary,
Mines & Geology Department, Secretariat Buildings,
Hyderabad and 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 vehicle. 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 representation is made to the 3rd respondent to release the vehicles agreeing to pay the compounding fee as mandated by the Government. 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 acting illegally in not attending to grievance of petitioner. 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 the G.O.Ms.No.15, Industries and Commerce (Mines-I) Department, dated 19.02.2015, if the petitioners so desire; or in the alternative they may make a request to the 3rd respondent by filing appropriate application for release of vehicles, 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 vehicles, 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.

JUSTICE P.NAVEEN RAO

Date: 20.11.2019
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