

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.26238 OF 2019

Date: 27.11.2019

Between:

Puligilla Prasad, s/o.Mallesham, Aged about 29 years,
Occu: Agriculture, r/o. H.no.4-93, Ibrahimnagar village,
Chinnakodur Mandal, earlier Medak District, now
Siddipet district, Telangana State.

.....Petitioner

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. 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 representation was made by the petitioner requesting the Station House Officer, Bejjenkki Police Station to release the vehicle 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.

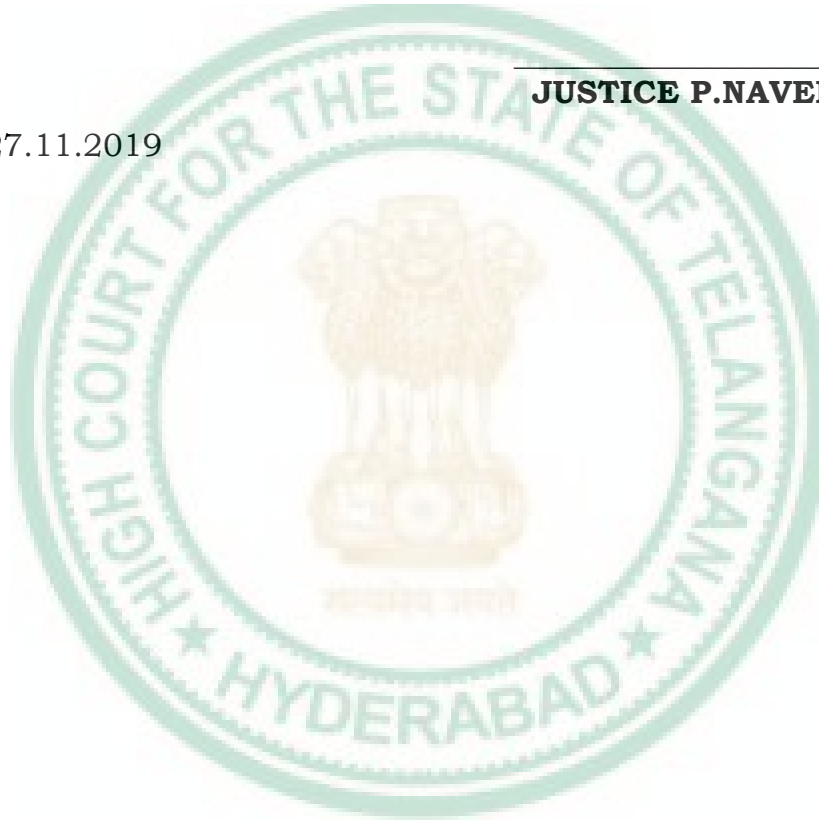
3. Since there is no proof of filing of representation, it cannot be said that respondents acting illegally in not attending to grievance of petitioner. Therefore, Writ Petition is disposed of with the following directions:

Petitioner is at liberty to approach either the learned jurisdictional Magistrate before whom the vehicle may 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 desire; 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 was 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

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