

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.27299 OF 2019

Date: 10.12.2019

Between:

P.Ramulu S/o.Sayappa,
4 yrs, Owner of Tractor bearing No.AP 28 DX 3201,
R/o.4-13/1, Kokat Village, Yalal Mandal,
Vikarabad District & another.

.....Petitioners

And

The State of Telangana,
Rep., by its Principal Secretary,
Mines and Geology Dept.,
Secretariat Buildings, Hyderabad & 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 subject vehicle. Petitioners allege that their vehicle was seized by the 2nd respondent on the allegation of illegal transportation of sand.

2. Learned counsel for petitioners submits that on 01.12.2019 a representation was made by the petitioners requesting the Station House Officer, Yalal Police Station to release the vehicle. 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 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 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 vehicle, if it was produced before the Court concerned; or in the alternative they may make a request to the Station House Officer-2nd respondent by filing appropriate application for release of vehicle, 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 the 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, if any, shall stand closed.

P.NAVEEN RAO, J

10th December, 2019

Rds

