

**HONOURABLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION NO.28371 OF 2019**

**Date: 24.12.2019**

Between:

Smt. Maheshwaramma Uppari w/o.Sudhakar,  
Aged 40 years, occu: Agriculture, r/o. H.No.13-50D  
Dhyagadoddi village, Dharup Mandal, Jogulamba  
District (owner of Tractor brg. No.TS-33-A-6745,  
Trailer bearing No. TS-33-A-6746) and others.

.....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 vehicles. Petitioners allege that their vehicles were seized by the 4<sup>th</sup> and 5<sup>th</sup> respondents on the allegation of illegal transportation of sand.

2. Learned counsel for petitioners submits that representation was made by the petitioners requesting the concerned Station House Officers 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 respondents 4 and 5 by filing appropriate application for release of vehicles, if not already filed and not received by the respondents 4 and 5; and if

any such application is filed before the above respondents, they are 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 petitioners before either the Court or the respondents 4 and 5, shall be disposed of within three days from the date of filing in the interest of justice. Pending miscellaneous petitions shall stand closed.

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**JUSTICE P.NAVEEN RAO**

Date: 24.12.2019  
kkm



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