

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 4086 of 2020

ORDER:

This writ petition is filed for the following relief;

“to issue an appropriate writ, order or direction more in the nature of *Mandamus* declaring the action of the respondents in seizing the Tractor & Trailer bearing Nos.TS 34 T 0745, TS 34 T 0747, TS 34B 4210 & TS 34T 8363, without following any procedure under statutes contemplated under Section 9Q sub Section 7 of Minor Mineral Concession Rules belonging to the petitioner as being illegal, arbitrary and against the principles of natural justice and violative of Articles 14, 16 19(1)(g), 21, 300-A and 301 of Constitution of India and consequently direct the respondents to release the Tractor & Trailer bearing Nos. .TS 34 T 0745, TS 34 T 0747, TS 34B 4210 & TS 34T 8363 of the petitioners forthwith, and pass such other order or orders as are deemed fit and proper.”

Heard learned counsel for the petitioners who submits that the *lis* in the writ petition is squarely covered by order dated 04.07.2019 passed by this Court in WP.No.13559 of 2019.

The same is not disputed by the respondents.

In view of the same and for the reasons alike in the said order dated 04.07.2019 in WP.No.13559 of 2019, this writ petition is also disposed of in terms thereof and the 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 2nd respondent by filing appropriate application for release of vehicles, 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 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 2nd respondent, shall be disposed of within three days from the date of filing in the interest of justice. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, in this writ petition shall stand closed.

A.RAJASHEKER REDDY, J

26.02.2020
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THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY



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