

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.4646 OF 2020

ORDER

Aggrieved by the action of the respondents in seizing the vehicle of the petitioners i.e., tractor No. Swraj KA-27-TC-0249, Chasis No.WXTH 30 – 428147962, Engine No.391354DG006510A, trailer bearing No. Chasis No. MAEWM 08/2019-20 of the petitioner No.1 and trailer bearing No. AP-22-V-3981 of the petitioner No.2, and in not releasing the said vehicles, by collecting penalty in terms of G.O.Ms.No.15, Industries and Commerce (Mines-I), Department dated 19.02.2015, the present writ petition is filed.

Learned counsel for the petitioners submits that this court in identical set of facts and circumstances disposed of W.P.No.34062 of 2018 dated 20.09.2018 with certain directions and the present writ petition may also be disposed of in terms of the said order.

Learned Assistant Government Pleaders appearing for Mines and Geology and Home, have not disputed the above submission of the learned counsel for the petitioners.

This court disposed of W.P.No.34062 of 2018 dated 20.09.2019, and the relevant portion of the order reads as under:

“The petitioner is at liberty to approach either the learned Magistrate before who the vehicle was said to 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, dated 19.02.2015, if the petitioner so desires; or in the alternative he may make a request to the 2nd respondent by filing appropriate application for release of the vehicle; 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 vehicle, which was said to have been 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 2nd respondent shall be disposed of on the same day in the interest of justice.”

In view of the above said order and for the reasons alike, the present writ petition is disposed of in terms thereof.

Interlocutory applications pending, if any, shall stand closed. No order as to costs.

A.RAJASHEKER REDDY,J

DATE:03-03-2020

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