

HON'BLE SRI JUSTICE K. SURESH REDDY

Writ Petition No. 10690 of 2021

ORDER:

This writ petition has been filed by the petitioner, under Article 226 of the Constitution of India, for the following relief/s:

“..... to issue an appropriate order or direction more particularly one in the nature of writ of mandamus declaring the action of the 3rd respondent in seizing the lorries/tippers bearing Nos.AP 39TK 2454 and AP 16TJ 2454 along with gravel earth without following any procedure established by law in pursuance of crime in FIR No.269/21 as illegal and without jurisdiction, irregular, ultra vires, arbitrary, high handed, mala fide, contrary to the procedure established by law and against to the principles of natural justice and violative of fundamental right guaranteed under Article 19(g) of the Constitution of India and consequentially direct the respondents to release the above vehicles forthwith in the interest of justice and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.”

Heard Sri Naga Praveen Vankayalapati, learned counsel for the petitioner, learned Government Pleader for Mines & Geology appearing for respondent Nos.1 and 2, and learned Government Pleader for Home appearing for respondent No.3. With their consent, this writ petition is disposed of at the stage of admission.

Learned counsel for the petitioner states that the subject matter of the writ petition is squarely covered by the order dated 23.03.2021 passed in W.P.No.6676 of 2021 by this Court.

Learned Government Pleaders did not dispute the said submission.

Having regard to the facts and circumstances of the case and considering the submissions, the petitioner is permitted to comply with the terms and conditions stipulated in sub-rule 3(iii) of Rule 26 of the Andhra Pradesh Minor Mineral Concession Rules, 1966 and on compliance, the respondents are directed to release the seized vehicles of the petitioner.

With the above direction, this writ petition is disposed of in terms of the order dated 23.03.2021 passed in W.P.No.6676 of 2021 by this Court. There shall be no order as to costs.

Registry is directed to attach a copy of the order dated 23.03.2021 in W.P.No.6676 of 2021 to this order.

As a sequel, interlocutory applications pending, if any, shall stand closed.

K. SURESH REDDY, J

27th May, 2021
cbs

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