

**HON'BLE SRI JUSTICE D. RAMESH**

**WRIT PETITION No.1503 of 2021**

**ORDER:**

This Writ Petition is filed 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 respondent No.3 in seizing the Tractor bearing No.AP 37 DP 6981 and its Trailer No.AP 37 W9581 of the petitioner in connection with FIR No.48 of 2021 without following the procedure known to the law as illegal, irregular, ultra vires, arbitrary, high handed mala fide and contrary to the procedure established by law under APMMC Rules and against the principles of natural justice and violative of fundamental rights guaranteed under Articles 14, 21 and 19(1)(g) of the Constitution of India and consequently direct the respondents to release the Tractor bearing No.AP 37 DP 6981 and its Trailer No.AP 37 W9581 of the petitioner forthwith in the interests of justice and pass such other order or orders...”

2. Heard learned counsel for the petitioner and learned Government Pleader for Mines and Geology appearing for the respondents. At the time of hearing, both the counsel gave consent to dispose of the matter at the stage of admission.
3. Learned counsel for petitioner states that the subject matter of the writ petition is squarely covered by the order dated 08.1.2020 passed in WP No.671 of 2020 by this Court.
4. Learned Government Pleader did not refute the said submission.

5. Having regard to the facts and circumstances of the case and considering the submissions, the respondent authorities are directed to impose penalty in terms of Clause-16 of G.O.Ms.No.71, Industries, Infrastructure, Investment and Commerce (Mines-II) Department, dated 04.09.2019 and on such payment, release the petitioner's vehicles.

6. With the above direction, this Writ Petition is disposed of in terms of the order dated 08.01.2020 passed in WP No.671 of 2020 by this Court. No costs. Registry to attach a copy of the order in W.P.No.671 of 2020 to this order.

Miscellaneous petitions pending if any, shall stand closed.

**JUSTICE D. RAMESH**

Dated: 21.01.2021  
B/o.  
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