

**THE HON'BLE SRI JUSTICE BATTU DEVANAND****WRIT PETITION No.6616 of 2021****O R D E R:**

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief/s:

"...to issue any order or direction more particularly one in the nature of a Writ of Mandamus by declaring the 3<sup>rd</sup> respondent's action in seizing the lorry bearing No.AP 37TE 5657 in connection with Cr.No.49/2021 in SHO Tallapudi PS., as illegal, arbitrary and in violation of Articles 14, 19 & 21 of Constitution of India and in violation of clause 16 of G.O.Ms.No.71, dated 04.09.2019 and consequently release the lorry bearing No.AP 37TE 5657 from the custody of the 3<sup>rd</sup> Respondent in favour of Petitioner, who is its registered owner, and pass any such other order or orders as this Hon'ble Court may deems fit and necessary in the interest of justice."

2) Heard Sri Parimi Rama Rayudu, learned counsel for the petitioner and learned Government Pleader for Mines & Geology appearing for the respondents. With their consent, this Writ Petition is disposed of 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 vehicle.

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 is directed 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.

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**BATTU DEVANAND,J**

Dated: 23.03.2021

**Note: Issue CC tomorrow.**

B/o.  
PGR