

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.56 of 2015

ORDER:

Heard the learned counsel for the petitioners and learned Government Pleader for Panchayat Raj (Telangana), Government Pleader for Revenue (Telangana) and Government Pleader for Home (Telangana).

2. The grievance of the petitioners is that their vehicles bearing Nos.AP 24AV 8755-AP 24AV 8761, AP 22Y 7253, TS 05UA 2423-TS 05 UA 2424, AP 28 TC 9283, KA 07A 2414, AP 29U 8913, AP 28 TE 1599, AP 28TE 5688, AP 28 TE 1188, AP 22 TA 0819 and AP 28 TE 4059 have been seized by respondent Nos.4 to 17 without following the due process of law.

3. Both the counsel agree that in similar circumstances, this Court has disposed of W.P.No.12485 of 2014 on 24.04.2014 giving certain directions and that the present case is covered by the said judgment.

4. Following the said judgment, this Writ Petition is disposed of directing the petitioners to submit applications under the amended Rule 9-Q (1) (i) and (ii), read with Rule 9-Q (6) of the Rules notified in G.O.Ms.No.186 dated 17.12.2003, to the Officers, who seized the vehicles; the said officers shall, within three days from the date of receipt of the application; examine whether the vehicles were used in committing the offence for the first and the second time; and, if so, consider directing release of the vehicles on payment of the prescribed penalty. If, on the other hand, the vehicles are found to

have been used in the commission of the offence, for three or more times, the officers concerned shall consider directing release of the vehicles, in accordance with Rule 9-Q (6), on bonds being executed by the owners of the vehicles for their production as and when directed by the Court.

5. The entire exercise, culminating in an order being passed, shall be completed within three days from the date of submission of the representations by the petitioners; and necessary action shall be taken for release of the vehicles, in cases falling within the ambit of Rule 9-Q (1) (i), on payment of the prescribed penalty; and, in other cases, on bonds being executed in terms of Rule 9-Q (6) of the Rules.

6. Accordingly, the Writ Petition is disposed of. No costs. Miscellaneous petitions, pending if any, shall stand closed.

A.RAJASHEKER REDDY, J

Date: 07-01-2015

Note:

Issue C.C. today.

E/o.

pab/nvl