

**HON'BLE SRI JUSTICE K.SURESH REDDY**

**W.P.No. 8728 of 2023**

**ORDER:-**

A Tractor bearing No.AP 07 TM 6787 and Trailer bearing No.AP 07 TM 7082 belonging to the petitioner had been seized on 08.04.2023 by the 3<sup>rd</sup> respondent on the ground that the said vehicle was transporting sand which had been illegally mined.

The petitioner approached this Court for release of the above said vehicle on the premise that only penalty that could be levied against the petitioner if he is found guilty of the said offences, under clause 16 of G.O.Ms.No.71 dated 04.09.2019.

This issue has been considered earlier and dealt with by a learned Single Judge of this Court on 08.01.2020 in W.P.No.671 of 2020 wherein the respondent authorities therein were directed to release the vehicle on payment of penalty, that may be imposed in terms of clause 16 of G.O.Ms.No.71 dated 04.09.2019.

In that view of the matter, this Writ Petition is also disposed of by following the above said order, directing the respondents to release the vehicle of the petitioner on payment of penalty that may be imposed in terms of clause 16 of G.O.Ms.No.71, dated 04.09.2019. For that purpose, the 2<sup>nd</sup> respondent shall calculate the penalty payable under clause 16 of G.O.Ms.No.71, dated 04.09.2019 and intimate the amount payable to the petitioner within three(3) days from the date of receipt of copy of this order.

No order as to costs.

Miscellaneous Petitions pending, if any, shall stand closed in consequence.

11-04-2023.  
TSNR

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**K.SURESH REDDY,J**