



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3458]

THURSDAY, THE FOURTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 33723 OF 2025

Between:

1.VETTIKADU RAJA, S/O. V.DORAI SWAMI REDDY AGE 36 YEARS,
R/O. D.NO. 3-284, KARURUMITTA, TADA KARUR, TADA, TIRUPATI
DISTRICT, ANDHRA PRADESH.

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, MINES, INDUSTRIES AND COMMERCE
DEPARTMENT SECRETARIAT, AMRAVATI, GUNTUR DISTRICT
- 2.THE DISTRICT MINES AND GEOLOGY OFFICER, NARASARAOPET,
PALNADU DISTRICT
- 3.THE TAHSILDAR, ATCHAMPET MANDAL ATCHAMPET, PALNADU
DISTRICT
- 4.THE STATION HOUSE OFFICER, ATCHAMPET POLICE STATION
ATCHAMPET, PALNADU DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1.CH SRI NAGA MEENA KUMARI

Counsel for the Respondent(S):

1.GP FOR HOME

2.GP FOR REVENUE

3.GP FOR MINES AND GEOLOGY

The Court made the following order:

The writ petition is filed challenging the action of the 4th respondent in seizing the Lorry bearing No.AP 39 TA 1800 belongs to the Petitioner, in connection with FIR No.202 of 2025, without following the procedure under the Andhra Pradesh Minor Mineral Concession Rules, 1966.

2. Heard Smt. Ch.Sri Naga Meena Kumari, learned counsel for the petitioner, Smt. Sudeepthi Potluri, learned Assistant Government Pleader for Mines and Geology and learned Assistant Government Pleader for Home appearing for the respondents. With the consent of both the learned counsel, the writ petition is disposed of at the stage of admission.

3. Learned counsel for the petitioner contended that the petitioner has been using the subject vehicles for commercial purposes only. On 27.11.2025, the 4th respondent herein has seized the vehicle alleging that the petitioner has been transporting sand without valid documents.

4. Learned counsel for the petitioner submit that the 4th respondent has illegally seized the vehicle of the petitioner and registered FIR No.202 of 2025 under Section 303(2) Bharatiya Nyaya Sanhita, 2023, 21(1) Mines and Minerals (Development and Regulation) Act, 1957. Hence, she prays the Court to direct the respondents to release the vehicle. In support of her contentions, the learned counsel for the petitioner relies on a decision of this

Court in W.P.No.7929 of 2025, prays the Court to dispose of the Writ Petition in terms of the said order. She further relies on G.O.Ms.No.100 dated 26.06.2025.

5. The relevant clauses of Clause 19(a) of the said G.O.Ms.No.100 Industries and Commerce (Mines-II), Department, dated 26.06.2025, reads as follows:

Q. Offences and Penalties:

i. In case of the vehicles engaged in illegal/ un-authorized excavation in the prohibited areas (i.e., within 500 meters from the Ground water structures, Bridges, Dams, Railway lines and cross drainage structures etc.), transportation of sand outside the State and found transporting sand without valid Sand Way bill /invoice shall be penalized as follows;

<i>Vehicle Type</i>	<i>First Time (In Rs.)</i>	<i>Second Time (In Rs.)</i>
<i>Tractor</i>	<i>Upto 10,000/-</i>	<i>Rs.10,001/- to 20,000/-</i>
<i>Lorry fitted with upto 10 tires capacity</i>	<i>Upto 25,000/-</i>	<i>Rs.25,001/- to 50,000/-</i>
<i>Lorry fitted with above 10 tires</i>	<i>Upto 50,000/-</i>	<i>Rs.50,001/- to 1,00,000/-</i>
<i>Machinery</i>	<i>Upto 50,000/-</i>	<i>Rs.50,001/- to 1,00,000/-</i>

Thus, he argues that the authorities cannot seize the vehicle for any alleged violations, they could, at the best levy only penalties.

6. Considering the submissions of both the learned counsel and upon perusing the material on record, the Writ Petition is disposed of in terms of the order passed in W.P.No.7929 of 2025, dated 26.03.2025 directing the respondent authorities to pass appropriate orders in terms of clause 19(a) of

G.O.Ms.No.100, Industries and Commerce (Mines-III), Department, dated 26.06.2025, for levying penalty if any. After levy of penalty and on payment of such penalty, the seized vehicle shall be released by the 4th respondent on producing of the receipt of such payment and ownership documents of the vehicle to the satisfaction of the 4th respondent. There shall be no order as to costs.

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

JUSTICE KIRANMAYEE MANDAVA

Date: 04.12.2025
Note: Issue CC today
B/o.
BSK

03

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