

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.9017 of 2015

BETWEEN

Jagadamba Oil Industries.

... PETITIONER

AND

The State of Telangana, Rep. by Principal Secretary, Transport Department, Secretariat,
Hyderabad and others.

...RESPONDENTS

Counsel for the Petitioner: MR. RAJANIKANTH JWALA

Counsel for the Respondents: GP FOR TRANSPORT (TG)

The Court made the following:

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ORDER:

Petitioner's vehicle bearing No.AP 1T 1377 is stated to have been stopped under check report No.0705140 dated 11.02.2015 and it is stated to be detained at APSRTC Depot, Adilabad, by respondent No.3. Petitioner had also filed application dated 11.02.2015 seeking release of the vehicle. However, since that application is stated to be not in the prescribed proforma and as per Rule 448 (B) of the Andhra Pradesh Motor Vehicles Rules, petitioner has filed a fresh application dated 16.02.2015 before the second respondent. The present writ petition, seeking release of the vehicle, alleges that the second respondent has not passed any orders on the aforesaid application.

2. Learned Assistant Government Pleader, who has received instructions, has produced proceedings of the Deputy Transport Commissioner dated 14.02.2015.

3. However, since the petitioner's application is dated 16.02.2015, it is appropriate that the Deputy Transport Commissioner considers the said application and passes appropriate orders. It is made clear that the Deputy Transport Commissioner may impose appropriate conditions, if he considers release of the vehicle to the petitioner. Keeping in view the ratio of the Division Bench judgment of this Court in **SALEEM TOURS AND TRAVELS v. JOINT TRANSPORT COMMISSIONER AND SECRETARY, RTA, HYDERABAD**, the second respondent shall, accordingly, pass appropriate orders within three (3) days from the date of receipt of a copy of this order.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

April 7, 2015

Note: Furnish C.C. of the order by 08.04.2015.

(**B/o**) DSK