

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.10493 OF 2015

Date:27.04.2015

Between:

Liyaqath Ali and others .. Petitioners

And

The Sate of Telangana, rep., by its

Principal Secretary, Home Department,

Secretariat Buildings, Hyderabad and others .. Respondents

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.10493 OF 2015

ORDER:

The petitioners complain that the sub-ordinates of respondents 1 to 4 are insisting on them to obtain Police Permits and pay Rs.100/- per vehicle per day. The petitioners state that they are the owners of Contract Carriage Vehicles and ply in the twin cities and Ranga Reddy Districts. In order to permit them to ply the vehicles, the respondents particularly the sub-ordinates of respondents 1 to 4 are insisting upon the petitioners to obtain Police Permits and in support of the said allegations, they have produced receipts issued by the Traffic Police, Hyderabad, in various States regarding the vehicles of the petitioners.

Counter affidavits are filed by respondents 4 and 5 and both of them have denied the averments made in the petition and admitted that such Police Permits are issued free of cost.

It is appropriate to extract paragraph Nos.7 and 8 of the counter affidavit filed by respondent No.5, which read as under:

“It is pertinent to mention herein that it is evident from the challans enclosed with writ petition disclosed that, Writ Petitioners have violated the traffic rules by entering into no entry timings and further indulged in dangerous driving as such fine is imposed for violation of Sec.177 and 179 (2) of M.V. Act. Therefore, there is no truth in the allegations made in the writ petition.

8. It is respectfully submitted that, if such vehicle owners do not obtain police permit for their vehicles movement, the general public will be put to inconvenience, due to lack of regulation. These police permits are granted free of cost only. It is further respectfully submitted that the restriction imposed on such vehicles is to see that the general public will not suffer due to lack of regulation against the plying of these vehicles.”

It is, therefore, clear from the above that no payment is insisted upon the petitioners and Police Permits are granted free of cost as a regulatory measure. Moreover, the same issue was already adjudicated by this Court in W.P.No.14914 of 2014, dated 16.07.2014, and that Writ Petition was disposed of after recording the specific averments of the respondents therein as is made in the present counter affidavit extracted above.

Since the Police Permits, as a regulatory measure, are stated to be issued free of cost by the respondent - Police, no further direction therefor is called for. This order, however, shall not preclude the respondent - Police from taking appropriate steps against such of the vehicles which violate the Traffic Rules and taking appropriate action against them in accordance with law.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V. AFZULPURKAR, J

27.04.2015

Note:- Registry to attach a copy of the order,

dated 16.07.2014, in W.P.No.14914 of

2014 as a part of this order.

(B/o)

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