

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

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Writ Petition No.35103 of 2015

ORDER: (per Hon'ble Sri Justice Ramesh Ranganathan)

The relief sought for in this writ petition is to declare the action of respondents 2 and 3, in putting the petitioner's vehicle bearing No.KA 53A1077 in the blacklist, as illegal and arbitrary; and to consequently direct them to pay Rs.60,000/- towards loss of income for the month of October 2015.

Sri Shaik Jeelani Basha, learned Special Standing Counsel for Commercial Taxes, would submit that the very fact that the said vehicle subsequently entered B.V.Palem Check Post on 29.09.2015, and left Pondugala Check Post on 01.10.2015, itself shows that the vehicle has not been blocked; the reference to the "Blocked Vehicle Information" in the impugned proceedings is a typographical mistake; and the said typographical mistake has since been corrected. As the petitioner's vehicle is no longer treated as having been blocked, the cause in the writ petition does not survive necessitating further adjudication by this Court.

The petitioner's claim, for being paid Rs.60,000/- towards damages, can only be examined in a Civil Suit before a Civil Court of competent jurisdiction, and not in writ proceedings under Article 226 of the Constitution of India. Leaving it open to the petitioner to avail the remedy of a Civil Suit, the Writ Petition is dismissed.

The miscellaneous petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

RAMESH RANGANATHAN, J

M. SATYANARAYANA MURTHY, J

Date:24.11.2015.

JSU

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