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THE HON'BLE SRI JUSTICE A.V. SESA SAI
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Writ Petition No.22203 of 2015

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ORDER:
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The petitioner is the owner of a vehicle bearing registration No.AP 29 V 1678. The Assistant Motor Vehicles Inspector, Nagole, Hyderabad, the 3rd respondent herein, seized the same on 05-03-2013, under a vehicle check report, on the following grounds:

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1. "No proof of tax for K.E.31/3/13.
 2. W/o. Fitness certificate
 3. W/o. Pollution under control certificate."

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Heard Sri Rajanikanth Jwala, learned counsel for the petitioner and learned Government Pleader for Transport.

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The Motor Vehicles Act (for short 'the Act') and the Rules made thereunder prescribes the procedure for determination of lapses, if any, committed by the owners of the vehicle, and the consequences that flow from such determination.

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According to the petitioner, notice under any provision of the Act has not yet been issued.

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The question as to whether the lapse pointed out in the vehicle check report is true or not, needs to be decided in the proceedings that may be initiated in accordance with the relevant

provisions of law. Continued detention and seizure of the vehicle does not advance the purpose or interest of the respondents. On the other hand, it would expose to theft of parts and damage. The interest of the respondents can be protected by directing that the vehicle of the petitioner be released subject to certain conditions.

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Hence, the writ petition is disposed of, directing that the respondents shall release the vehicle bearing No. AP 29 V 1678 to the petitioner on the petitioner paying a sum of Rs.20,000/- (Rupees twenty thousand only). The petitioner shall also file an undertaking to the effect that he shall produce the vehicle as and when necessary and that it shall not alienate the same in the meanwhile.

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_____ The miscellaneous petitions, if any, filed in the writ petition, shall also stand disposed of. There shall be no order as to costs.

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A.V. SESA SAI, J.

Dt.17-07-2015.

Note: *cc in two days.*
(B/O) KO