

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.9428 of 2015

BETWEEN

Ahmed Mohd.

... PETITIONER

AND

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

...RESPONDENTS

Counsel for the Petitioner: MR. Y. BALAJI

Counsel for the Respondents: GP FOR TRANSPORT (TG)

The Court made the following:

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ORDER:

Petitioner states that his vehicle, Maxi Cab bearing No.AP 22 W 7383 is stated to have been seized under check report No.0911859 dated 24.12.2014 on the ground that there was no proof of payment of tax for the quarter ending 31.12.2014 and driving license was also not produced. The seized vehicle is kept at the depot at Kukatpally. Seeking release of the said vehicle, the petitioner has filed a representation dated 29.12.2014 before the first respondent and alleging inaction the present writ petition is filed. Petitioner counsel also states that the petitioner is prepared to pay the tax whatever due.

2. Evidently, the petitioner has not made the application before the competent authority i.e. the second respondent. Hence, if the petitioner approaches the second respondent with an appropriate application in terms of Rule 448 (B) of the A.P. Motor Vehicles Rules, by paying the requisite fee, the second respondent shall consider the said application.

3. 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