

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.32030 of 2015

ORDER:

The petitioner is the owner of vehicle - Paver Finished Apollo Model No.AP-500 bearing chassis No.CHA04002. The Assistant Motor Vehicles Inspector, Uppal, Ranga Reddy District – 3rd respondent herein seized the same on 15-09-2015 under a vehicle check report on the following grounds:

1. Registration number not displayed.
2. w/o. permit
3. w/o. FC
4. IC
5. w/o. PUC
6. w/o. Tax proof for Q.E.30-09-2015
7. w/o. FC

2. Heard Sri Ch. Ravinder, learned counsel for the petitioner and learned Government Pleader for Transport.

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

4. That 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.

5. Hence, the Writ Petition is disposed of directing that the respondents shall release the vehicle - Paver Finished Apollo Model No.AP-500 bearing chassis No.CHA04002 to the petitioner on the petitioner paying a sum of Rs.50,000/- (rupees fifty thousand only). The petitioner shall also file an undertaking to the effect that he shall produce the vehicle as and when necessary and that he shall not alienate the same in the meanwhile.

6. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. There shall be no order as to costs.

A.V. SESA SAI, J

October 01, 2015

Note: Furnish C.C. in

two (2) days. B/o.Pn

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.32030 of 2015

-

October 01, 2015

Note: Furnish C.C. in

two (2) days. B/o.Pn