

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.1596 of 2009

ORDER:

-

The grievance of the petitioner was that the transport authorities were not registering her vehicle with the reserved registration

No. AP15 AD 9999. She sought a consequential direction to them to do so.

Interim orders having been granted by this Court, the final order upon the vacate stay petition filed by the respondent authorities was passed on 20.04.2011. This Court adverted to the fact that initially, on 04.02.2009, a direction was issued to the respondents not to allot the reserved No. AP15 AD 9999 to any third party pending further orders. Again on 30.04.2009, this Court took note of the stand of the Transport Commissioner, Transport, Roads and Buildings Department, Government of Andhra Pradesh, Hyderabad, that he had issued memo dated 28.04.2009 to the effect that the residence certificate produced by the petitioner, which was purportedly issued by the Tahsildar, Ramagundam, was not found to be genuine and that her request for transfer of the data of the motor vehicle was rejected. As the said memo of rejection had not been questioned either by filing an application for amendment of the prayer in this writ petition or by way of a separate writ petition, this Court opined that as long as the said memo remained in force, the petitioner could not claim any right over the number which was earlier reserved by her and accordingly, the interim order dated 04.02.2009 was vacated. Liberty was granted to the petitioner to approach the respondents to take return of the Rs.50,000/- deposited by her without prejudice to her right to pursue the writ petition. The respondents were directed to return the amount in the event the petitioner approached them.

Sri P. Venkat Swamy, learned counsel for the petitioner, stated that the reserved number was thereafter allotted to some third party and owing to the pendency of this writ petition, the petitioner is continuing to run the vehicle with a temporary registration number. He further stated that though the petitioner approached the authorities for return of the amount deposited by her, no written application in this regard was submitted. He further stated that the amount has not been returned by the respondent authorities till date.

In the light of the afore-stated developments, it is for the petitioner to apply afresh to the competent authority for registration of her vehicle duly producing all the relevant and necessary documentation. Insofar as the return of the amount deposited by her is concerned, it is for her to make an application in accordance with the due procedure to the competent authority.

Reserving liberty to the petitioner to do so, this writ petition is disposed of directing the respondents to pass appropriate orders in accordance with law upon such applications, if filed.

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

JUSTICE SANJAY KUMAR

30th September, 2015

IBL