

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND FIFTEEN
PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.12240 of 2015

BETWEEN

Kanwaljeet Singh Khurana.

... PETITIONER

AND

The State of Telangana, Rep. by its Principal Secretary, Transport, Roads & Buildings Department, Secretariat, Hyderabad and two others.

...RESPONDENTS

Counsel for the Petitioner: MR. E. MARUTHI RAJA

Counsel for the Respondents: GP FOR TRANSPORT (TG)

The Court made the following:

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ORDER:

Petitioner's vehicle bearing No.CG 04 HD 5699 was seized under

vehicle check report No.1146058 dated 17.04.2015 on the ground that the vehicle is plying in the State of Telangana without paying life tax and that the said vehicle is plying in the State of Telangana since 23.08.2014 as per the statement of the owner and the driver. Petitioner states that the vehicle is registered in Chattisgarh State and on account of his business; he has to travel to different places in Andhra Pradesh including Telangana State. Petitioner, therefore, contends that the vehicle has temporarily come down to Telangana and would go back to its parent State. Petitioner has made an application seeking release of the vehicle under Section 207(2) of the A.P. Motor Vehicles Act (for short 'the Act') and Rule 448-B of the Rules framed under the Act by approaching the second respondent and thought the said application is made on 21.04.2015, complaining of inaction the present writ petition is filed.

2. Whether the vehicle has temporarily come down to the State of Telangana is a matter which the second respondent has to consider after examining the petitioner's request for release. The application of the petitioner, in any case, has to be disposed of expeditiously.

3. Learned counsel for the petitioner also states that the petitioner is willing to give undertaking that the vehicle may not enter the State of Telangana and will go back to its parent State.

4. However, the petitioner is at liberty to give such an undertaking before the second respondent when the application of the petitioner is considered, as per the directions herein contained.

The writ petition is disposed of directing the second respondent to pass appropriate orders on the application of the petitioner, preferably, within a period of three (3) days from the date of receipt of a copy order. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

April 30, 2015

Note: Furnish C.C. of the order by 01.05.2015.

(**B/o**) DSK