

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

WEDNESDAY, THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.5584 of 2015

BETWEEN

Meda Narasaiah

... PETITIONER

AND

The State of Telangana, Rep. by its Principal Secretary (Department of Transport), A.P. Secretariat Building, Hyderabad and others.

...RESPONDENTS

The Court made the following:

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ORDER:

Heard.

2. Petitioner, who is the owner of vehicle bearing No.AP 36X 4443, filed this writ petition alleging that the said vehicle was illegally seized by respondent No.3 on 29.01.2015. Petitioner claims that after purchasing the said vehicle, he paid tax upto 30.06.2012 and he had already availed loan from HDFC Bank. However, because of the major repairs the vehicle was left at the local mechanic shed and was not in use. Petitioner states that he suffered financial and health problems and hence, could not repair the vehicle. It is stated that on 29.01.2015 while petitioner was carrying the said

vehicle from the mechanic's shed to his residence, respondent No.3 seized the said vehicle. Thereafter, petitioner has approached the Deputy Transport Commissioner, SPTA, Warangal on 19.02.2015 for release of the said vehicle. Hence,
the present writ petition.

3. Instructions received by the learned Government Pleader show that the tax against the said vehicle is being from 01.07.2012 onwards and the total tax with penalty and compounding fee is payable with respect to the same. Whether the reasons given by the petitioner are genuine or not cannot be seen as the petitioner has not given any intimation to the authorities.

4. Since the vehicle of the petitioner is seized on the ground of nonpayment of tax after 30.06.2012, it is for the petitioner to approach respondent No.2 by making an appropriate application by showing the reasons for nonpayment of tax and, if such an application is made, respondent No.2 will consider the same including release of the vehicle subject to appropriate conditions expeditiously.

Writ petition is, accordingly, 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

March 11, 2015
LMV