

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.904 OF 2015

-

ORDER:

It is submitted by the learned counsel for the petitioner that in similar circumstances, this Court disposed of WP.No.39907 of 2014 on 26.12.2014.

Learned Assistant Government Pleader for Revenue has not disputed the same.

In view of the above, following the order dated 26.12.2014, passed in WP.No.39907 of 2014, this writ petition is disposed of by observing as follows;

“ In view of the amended Rule-9-Q (1) (i) and (ii) read with Rule 9-Q (6), the petitioner is permitted to submit an application to the officer, who seized the vehicle; the said officer shall, within three days from the date of receipt of the application; examine whether the vehicle was used in committing the offence for the first and second time; and, if so, consider directing release of the vehicle on payment of the prescribed penalty. If, on the other hand, the vehicle is found to have been used in the commission of the offence, for three or more times, the officer concerned shall consider directing release of the vehicle, in accordance with Rule 9-Q (6), on a bond being executed by the owner of the vehicle for its production as and when directed by the Court.

The entire exercise, culminating in an order being passed, shall be completed within three days from the date of submission of the representation by the petitioner; and necessary action shall be taken for release of the vehicle, in cases falling within the ambit of Rule 9-Q(1) (i), on payment of the prescribed penalty; and, in other cases, on a bond being executed in terms of Rule 9-Q (6) of the Rules.”

There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

23.01.2015
t k.