

HON'BLE SRI JUSTICE A.V. SESA SAI

Writ Petition No.35315 of 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Transport.

2. The petitioner's vehicle Tractor & trailer bearing No.AP-20-U-8523 & AP 20 U 8524 is said to have been seized by the 3rd respondent on 22-09-2015 on the ground of non-payment of quarterly tax, etc. The petitioner filed an application under Rule 448(b) of the A.P. Motor Vehicles Rules (for short 'the Rules') before the 2nd respondent, seeking release of the said vehicle, but no action has been taken.

3. It is not disputed that in an identical circumstances, this court disposed of W.P.No.22898 of 2015, dated 23.07.2015, directing the 2nd respondent therein to assess the quarterly tax arrears payable by the petitioner and permit release of the vehicle subject to the condition of the petitioner paying quarterly tax arrears, within three days from the date of receipt of a copy of this order. However, the assessment proceedings may go on, but however, the penalty imposed on the petitioner shall not be recovered for a period of 30 days, as the petitioner has an opportunity to prefer an appeal against imposition of penalty.

3. This writ petition is also disposed of, in terms and lines as stated in WP No.22898 of 2015 dated 23.07.2015. The miscellaneous petitions, if any, filed in the writ petition shall also stand closed.

A.V. SESA SAI, J.

Dt.29-10-2015.

BSS

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Date: 29.10.2015

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