

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

WRIT PETITION NO.38650 OF 2015

DATED 9th DECEMBER, 2015

Between:

T. Viswanath .. Petitioner

and

The State of Andhra Pradesh rep. by its

Principal Secretary, Transport

Department and others .. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION NO.38650 OF 2015

ORDER

The grievance of the petitioner is with regard to the proceedings dated 17.02.2011 of the Deputy Transport Commissioner and Secretary, Regional Transport Authority, Chittoor, Andhra Pradesh, whereby the Regional Transport Officer, Electronic City, Bangalore, was requested not to effect any TOW or permit alienation of the vehicle bearing registration No.KA-51-3960 until confirmation from

his office.

Sri B. Chandrasekhar, learned counsel for the petitioner, stated that the subject vehicle was intercepted by the Motor Vehicle Inspector, Madanapalli, Chittoor District, in the year 2008 and detained. Aggrieved thereby, the petitioner filed W.P.No.25148 of 2008 which was disposed of permitting the petitioner to pay the tax demanded by the authorities in accordance with G.O.Ms.No.140 dated 12.08.2002. However, upon quantification of the tax, the petitioner filed W.P.No.77 of 2011, wherein stay of further proceedings was granted in relation to the impugned demand notice.

It appears that owing to the pending dues, the impugned proceedings dated 17.02.2011 were issued requiring the Karnataka Road Transport Authorities to take suitable steps in relation to the petitioner's vehicle.

The learned Assistant Government Pleader for Transport informed this Court that an amount of Rs.60,450/- was still due and payable by the petitioner and, therefore, steps were taken to safeguard the same by preventing alienation of the vehicle.

Sri B. Chandrasekhar, learned counsel for the petitioner, at this stage fairly stated that his client would pay the said amount under protest and without prejudice to his contentions in W.P.No.77 of 2011.

In that view of the matter, the writ petition is disposed of leaving it open to the petitioner to pay the aforesaid sum without prejudice and under protect to the authorities concerned and thereupon, a suitable letter shall be addressed to the Transport authorities at Bangalore City informing them that the impugned letter dated 17.02.2011 stands withdrawn. Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

9th DECEMBER, 2015

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