

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.9028 OF 2015

Date:01.04.2015

Between:

Mahender Reddy P .. Petitioner

And

The Sate of Telangana, represented by
its Principal Secretary, Transport
Department, Secretariat Buildings,
Hyderabad and others .. Respondents

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.9028 OF 2015

ORDER:

Heard.

The petitioner claims to be the owner of the vehicle bearing No.AP 16TB 3012, which is stated to have been seized under Vehicle Check Report No.139575, dated 12.03.2015, by the 3rd respondent. The petitioner seeks release of the vehicle and claims that all the documents, which are referred to in the Vehicle Check Report, are available, but it was wrongly referred to as not found at the time of seizure. He also states that the vehicle was actually under repair and hence, tax was not payable. However, these matters are to be considered by the appropriate authority.

The petitioner states that an application under Rule 448 (b) of the Andhra Pradesh Motor Vehicles Rules, 1989 (for short, 'the Rules'), is filed before the 2nd respondent on 16.03.2015.

However, the learned Government Pleader points out that the application is not as per the proforma prescribed; not as per the Rules and no challan has been paid.

Hence, the Writ Petition is disposed of with liberty to the petitioner to make an appropriate fresh application in terms of Rule 448 (b) of the Rules to the 2nd respondent and on receipt of such application, the 2nd respondent shall consider the same and pass appropriate orders, preferably within a period of three days from the date of receipt of the application. The 2nd respondent is free to impose appropriate conditions, if he considers release of the vehicle. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

01.04.2015

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