

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

**WEDNESDAY THE EIGHTH DAY OF JULY
TWO THOUSAND AND FIFTEEN**

HONOURABLE SRI JUSTICE A.V. SESHASAI

WRIT PETITION NO. 20717 OF 2015

Between:

M/s. Rani Constructions Pvt.Ltd.,
203, Navketan Complex,
SD Road, Secunderabad
Represented by its Managing Director
Galla Harshavardhan ... Petitioner

V/s.

The Government of Telangana,
Represented by its Prl.Secretary,
Transport Department,
Secretariat Buildings,
Hyderabad & Ors. ... Respondents

Counsel for the Petitioner : Sri Ch.Ravinder

Counsel for the Respondents : GP forTransport
[TS]

The court made the following : [order follows]

HONOURABLE SRI JUSTICE A.V. SESHASAI

WRIT PETITION NO. 20717 OF 2015

ORDER:

The petitioner is the owner of a vehicle bearing registration No. AP-21-TW-4260. The Motor Vehicle Inspector, Regional Transport Authority, Nalgonda district – the second respondent herein seized the same on 28/1/2015 under a vehicle check report on the following grounds :

- (1) No proof of tax Q.E. 31/12/2015]
- (2) FC not produced expired on 22/6/2013]
- (3) IC not produced,
- (4) PUCC not produced.

2. Heard Sri Ch. Ravinder, learned counsel for the petitioner and learned Government Pleader for Transport.

3. The Motor Vehicles Act [for short ‘the Act’] and the Rules made thereunder prescribe the procedure for determination of lapses, if any, committed by the owners of the vehicle, and the consequences that flow from such determination. According to the petitioner, notice under any provision of the Act has not yet been issued.

4. The question, as to whether the lapse pointed out in the

vehicle check report is true or not, needs to be decided in the proceedings, that may be initiated in accordance with the relevant provisions of law. Continued detention and seizure of the vehicle does not advance the purpose or interest of the respondents. On the other hand, it would expose to theft of parts and damage. The interest of the respondents can be protected by directing that the vehicle of the petitioner be released, subject to certain conditions.

5. Hence, the writ petition is disposed of, directing that the respondents shall release the vehicle bearing No.AP-21-TW-4260 to the petitioner on his paying a sum of Rs.20,000/- [Rs. Twenty Thousand only]. He shall also file an undertaking to the effect that he shall produce the vehicle as and when necessary, and that he shall not alienate the same, in the meanwhile.

6. With the above direction, the writ petition is disposed of at the stage of admission. No costs.

7. As a sequel, Miscellaneous Petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHASAI

08/07/2015
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HONOURABLE SRI JUSTICE A.V. SESHASAI

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Court Master: I s L