

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 34813 of 2012

Order:

The petitioner claims to be a purchaser of Tractor bearing Engine No.3102FL03E205549 and Chassis No.FZVSCE204499/3 from the fifth respondent. The said vehicle was duly registered by the Additional Registration Authority/Regional Transport Authority, Nizamabad, on 18.01.2012 and it is given registration No.AP-25-AH-2909. While so, the vehicle was taken by the Sub-Inspector of Police, Nizamabad, stating that it was sold to another person prior to the sale to the petitioner and the vehicle was earlier registered by the Transport Authority, Karimnagar, in the year 2010 itself. Subsequently, the vehicle was handed over to the petitioner. Though, the petitioner filed WP No.30529 of 2012 challenging the action of the police in seizing the vehicle, in view of handing over of the vehicle, the said writ petition was withdrawn on 03.10.2012. The petitioner submitted a representation to the Deputy Transport Commissioner, Nizamabad, on 04.10.2012, for correction of his father's name and chassis number. The application of the petitioner was returned with an endorsement dated 20.10.2012 stating that on verification of the record it revealed that the vehicle bearing registration No.AP-25-AH-2909 was involved in a crime in Rural Police Station, Nizamabad. The petitioner states that since the Regional Transport Authority, Nizamabad, registered the vehicle after verification of the records now they cannot reject his application stating that a crime was registered in the Rural Police Station, Nizamabad. In those circumstances, the present Writ Petition was filed challenging the action of the respondents in trying to take the Tractor without registering any crime.

2. Learned counsel for the petitioner submits that after filing the Writ Petition, the Advocate-Commissioner seized the vehicle under a warrant of the Court and the vehicle was produced before the Competent Court in Crime No.478 of 2012 pending on the file of Nizamabad Rural Police Station.

3. In view of seizure of the vehicle under a warrant of the Court, no relief can be granted in the present Writ Petition. But, it is open to the petitioner to take appropriate proceedings in accordance with law against the fifth respondent or any other person, if he is so advised.

4. With the above observation, the Writ Petition is dismissed. However, in the circumstances, no costs.

5. As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A.
Date: 14.03.2016
Nsr

RAMALINGESWARA RAO, J.