

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.23648 OF 2015

ORDER

The grievance of the petitioner company is with regard to the seizure of its HMV goods carriage vehicle bearing registration No.AP 04 X 3703 by the transport authorities on 26.07.2013 and in not considering its written representation dated 02.07.2015 for release thereof.

The Regional Transport Officer & Deputy Transport Commissioner, Kurnool, furnished written instructions to the office of the learned Government Pleader for Transport, under letter dated 01.08.2015, wherein he stated that the subject vehicle was seized as the required documentation was not produced at the time it was stopped. He admitted that the petitioner company had made a representation on 02.07.2015 seeking release of the vehicle, but again, necessary documentation was not made available and the required fee under Rule 448-B of the Andhra Pradesh Motor Vehicle Rules was also not remitted.

In the light of the aforestated facts, this Court sees no purpose served in keeping this writ petition pending and inviting a counter-affidavit. As the authority concerned is willing to release the vehicle upon the petitioner company fulfilling the required formalities, the writ petition is disposed of permitting the petitioner to make an application to the Deputy Transport Commissioner, Kurnool town and district, Andhra Pradesh, seeking release of its vehicle. The petitioner shall produce all the necessary documents and also proof of the tax paid. In this regard, it may be noticed that the vehicle was under seizure since 26.07.2013 and the petitioner would not be liable to pay for the period that the vehicle remained in the custody of the transport/police authorities. Any other requisite fee may also be collected from the petitioner company. This exercise shall be completed expeditiously and in any event, not later than two weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions shall stand closed in the light of

this final order. No order as to costs.

6th JANUARY, 2016
PGS

SANJAY KUMAR, J