

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

-
WRIT PETITION No.17669 OF 2016
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ORDER:

This writ petition came to be filed seeking the following relief :

“To issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the seizure of the petitioner’s vehicle (Maxicab) bearing Regn.No.AP 36 TB 2362 by the 3rd respondent vide check report No.795638 dated 31.10.2013 as illegal, arbitrary, unconstitutional and consequently direct the 2nd respondent herein to forthwith release the vehicle in favour of the petitioner.”

Heard learned counsel for the petitioner and learned Government Pleader for Transport.

Learned counsel for the petitioner submits that petitioner is the owner of the vehicle (Maxicab) bearing Regn.No.AP 36 TB 2362 and that the petitioner is paying all the taxes to the Registering Authority. He also submits that the petitioner had carriage permit which is valid upto 15.05.2018. While so, on 31.10.2013 at about 9.00 A.M., when the vehicle of the petitioner was proceeding towards Bhadrachalam, the 3rd respondent intercepted the vehicle of the petitioner and seized the same when the driver failed to produce proof of payment of tax. A check report No.795638 dated 31.10.2013 was prepared and the vehicle was kept at RTC Depot, Kothagudem, Khammam District. The petitioner submits that he made an application before the 2nd respondent on 13.05.2016 seeking release of the vehicle, showing all the necessary documents, but till date, no orders are passed.

Having regard to the submissions made and since the matter requires enquiry, the 2nd respondent is directed to consider the petitioner’s application dated 13.05.2016 and after satisfying himself that the petitioner’s vehicle had all the requisite documents, shall pass appropriate orders within five (5) days from the date of receipt of copy of

this order. If the petitioner had not made any application for release of the vehicle, he is at liberty to make a fresh application. It is needless to mention that the respondent-authorities shall consider all the pleas raised by the petitioner and pass appropriate orders in accordance with law, within five (5) days from the date of receipt of such application.

With the above direction, the writ petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, pending, if any, in the writ petition, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

Date:14.06.2016

Note : Issue c.c. tomorrow.

B/o.

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Dated : 14.06.2016

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