

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.20557 OF 2017

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in seizing and detaining the Petitioner's contract carriage bearing Registration No.AP28 TB 5872 pursuant to the vehicle check report No.231695 dated 17.06.2017 issued by the 3rd respondent as illegal, arbitrary and contrary to law and consequently direct the respondents to release the said vehicle of the petitioner to the petitioner herein forthwith in the interest of justice.”

2. Heard and perused the material available on record.
3. The petitioner herein is the owner of the aforementioned vehicle. On 17.06.2017, respondent No.3 stopped the said vehicle while it was proceeding from Dhulapalli and checked it and issued a vehicle check report No.231695 alleging that the vehicle was carrying Company staff of Sighania Printing Press Company with contract carriage permit and carrying 20 excess persons without driving license. On the said allegations, respondent No.3 seized the said vehicle under Section 207 of the Motor Vehicles Act, 1988.
4. Learned counsel for the petitioner submitted that the petitioner is the owner of the vehicle and if the vehicle is kept idle for a long period, there is every possibility of it getting damaged.

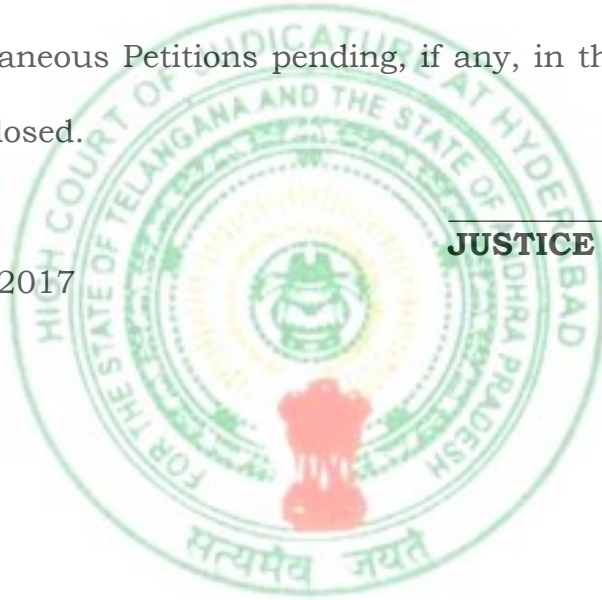
5. Considering all the facts and circumstances of the case and the grievance of the petitioner, without going into the merits of the case, the petitioner is directed to make a representation to the respondent authorities regarding the release of the aforesaid vehicle and thereafter, the respondent authorities shall consider the same and pass appropriate orders in accordance with law on or before 28.06.2017.

6. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

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

Date : 23.06.2017
AMD

JUSTICE RAJA ELANGO



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AMD