

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI
WRIT PETITION Nos.23118, 23123, 23137, 23140 & 23578 OF
2017

COMMON ORDER:

When the matters are called, a request is made by Sri B.Siva Rama Krishnaiah, learned counsel for the petitioner in W.P.Nos.23118, 23123, 23137 and 23140 of 2017, and Sri S.Arifullah, learned counsel appearing for the petitioners in W.P.No.23578 of 2017, to permit their clients to withdraw the writ petitions.

2. It is submitted by the learned counsel that though the present writ petitions came to be filed, assailing action on the part of the respondents in not accepting the tax, now the respondent authorities are accepting the same. It is further submitted that in view of the same, the cause in the writ petitions does not survive to adjudicate the matters on merits.

3. Resisting the said request so made by the learned counsel for the petitioners, it is stated by Sri P.V.A.Padmanabham, learned counsel for the unofficial respondent in W.P.Nos.23118 and 23137 of 2017, that such permission cannot be granted as the petitioners herein, in collusion with the official respondents, are continuing to violate the mandatory provisions of the Motor Vehicles Act, 1988, Central Motor Vehicles Rules, 1989 and the A.P. Motor Vehicles Taxation Act, 1963 and plying the vehicles in an illegal and high handed manner. But substantially raising the same grounds, the unofficial respondent filed W.P.(PIL)Nos.59 and 170 of 2017 before this Court and the same are pending consideration. Therefore, it is

always open for the official respondents to raise all the pleas in the said Public Interest Litigation Cases. It is not as if they are remediless, and in the considered opinion of this Court, the unofficial respondent cannot raise any objection for withdrawal of the writ petitions. It is also made clear that this permission cannot be regarded nor can be construed as giving stamp to irregularities, if any. Accordingly, request made by the learned counsel for the petitioners for withdrawal of the writ petitions is granted.

4. Accordingly, all the writ petitions are dismissed as withdrawn. There shall be no order as to costs.

5. Miscellaneous petitions pending, if any, in these Writ Petitions shall stand closed.

Date : 07.12.2017
AMD

JUSTICE A.V.SESHA SAI



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Date: 07.12.2017

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