

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.19330 of 2017

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking to issue a Writ, Order or direction more particularly one in the nature of Writ of *Mandamus* declaring the inaction of the 2nd respondent in not releasing the petitioner's Contract Carriage vehicle bearing R.No.AP 29 TA 6869 seized under vehicle check report No.0592806 dated 5.5.2017 by the 3rd respondent as per law laid down by the Hon'ble High Court, as illegal and arbitrary and consequently, direct the 2nd respondent to forthwith release the petitioner's Contract Carriage Vehicle R.No.AP 29 TA 6869 in the interest of justice.

2. During hearing it is informed by the learned counsel for the petitioner that the petitioner has to necessarily pay a tax for a period of one week, even then he is ready to pay the amount demanded by the respondents herein i.e., for a period of one month and he is also ready to participate in the enquiry and prayed this Court for release of the vehicle, which is in the possession of the 2nd respondent herein.

3. Considering the submissions, the 2nd respondent herein is directed to release the vehicle R.No.AP 29 TA 6869 in favour of the petitioner on payment of tax for a period of one month as required by respondents. However, this order will not stand in the way of

respondents to pass any appropriate orders after conducting an enquiry on the basis of the records available.

4. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

5. Consequently, pending miscellaneous petitions, if any, in the matter shall stand closed.

JUSTICE RAJA ELANGO

Date: 22-06-2017

skmr

