

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 5992 OF 2017

ORDER :

This Writ Petition has been filed seeking a mandamus to declare the action of the respondents in seizing and detaining the petitioner's contract carriage bus bearing Registration No. AP 04 TT 5589, pursuant to the vehicle check report dated 03.12.2016, as illegal and arbitrary.

The case of the petitioner is that he has given a stoppage report to the 2nd respondent Regional Transport Office & Secretary, Proddatur on 28.05.2015 itself so as to get affected major repairs to the above-said vehicle. On 03.12.2016, after completion of the repair works, when the petitioner was proceeding to his place of business on the vehicle, the 3rd respondent stopped and checked the vehicle and seized the same alleging that the vehicle is plying without exhibiting Registration marks, the driver of the vehicle failed to produce documents of the vehicle and tax receipt for the quarter ending with 31.12.2016.

Heard learned counsel for the petitioner Sri E. Maruthi Raja and learned Government Pleader for Transport.

Subject to the condition of the petitioner paying the tax dues, as demanded up to 31.12.2016, the seized vehicle of the petitioner bearing Registration No. AP 04 TT 5589 shall be released. Inasmuch as the notice has already been issued on 05.12.2016, the interim release of the vehicle, directed by this Court, in this Writ Petition, shall be subject to the final orders that may be passed in the inquiry, which is to be completed within four weeks from the date of receipt of a copy of this order.

With this, the Writ Petition stands disposed of. No costs.

Consequently, the miscellaneous Applications, if any shall also stand disposed of.

22nd February 2017

CHALLA KODANDA RAM, J

ksld

