

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.18683 OF 2017

ORDER:

The case of the petitioner is that he is the owner of vehicle bearing No.AP 22Y 9828-Maxicab-LMV, vide VCR.No.AP 320/December 2013/1050 (1018907); that though the said vehicle was registered as cab, the petitioner is not running it on hire due to some financial and health problems from the year 2012 onwards and kept it idle at home. While so, on 06.12.2013, when the petitioner was proceeding to Shadnagar with his family members in the said vehicle, the 3rd respondent seized the vehicle on the ground that the petitioner has not paid the taxes from 13.12.2012 to 31.12.2013 to a tune of Rs.22,750/- + 4,550/- for the period of 30.06.2017 along with the penalty of Rs.45,500/-. It is also stated that the petitioner has not run the vehicle on hire during the aforesaid period and as such, now, the petitioner is willing to pay actual tax due to the transport department excluding the penalty imposed by the 3rd respondent for release of the said vehicle. But, the respondents are not accepting the same and not releasing the vehicle. Aggrieved by the same, present writ petition is filed.

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

Since it is stated that the petitioner is willing to pay the entire due amount of tax as on date, the 3rd respondent is directed to release the vehicle bearing No.AP 22Y 9828-Maxicab-LMV to the petitioner on payment of entire tax amount due as on date and on production of documents in proof of ownership. However, it is open for the petitioner to file appeal against imposition of penalty, within a period of four weeks from today. If petitioner does not prefer the appeal within the stipulated period, it is open for the respondents to take action, in accordance with law.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

09.06.2017
t k.