

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.21424 OF 2017

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue an appropriate writ, order or direction more preferably one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent in not releasing the petitioner's Original Registration Certificate of Education Institution Bus Vehicle bearing No.AP29TA5017 seized under Vehicle Check Report No.2698932, dated: 10.02.2016 by the 3rd Respondent, as per law laid down by the Hon'ble Court as illegal, arbitrary, unjust and consequently direct the 2nd respondent to release the Original Registration Certificate of Education Institution Bus of the petitioner forthwith, in the interest of justice and grant such other necessary relief or relief's as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. Case of the petitioner is that while the aforementioned vehicle was going empty from Dundigal in Ranga Reddy District to Narsapur in Medak District on 10.02.2016 for undergoing major engine repairs and body repairs at mechanic workshop at Narsapur, the said vehicle was stopped and checked by the Assistant Motor Vehicles Inspector, Office of the Deputy Transport Commissioner and Secretary, Regional Transport Authority, Sanga Reddy, Medak District. The said checking officers impounded the original Registration Certificate of the vehicle under Vehicle Check Report No:2698932, dated 10.02.2016.

3. Heard and perused the material available on record.

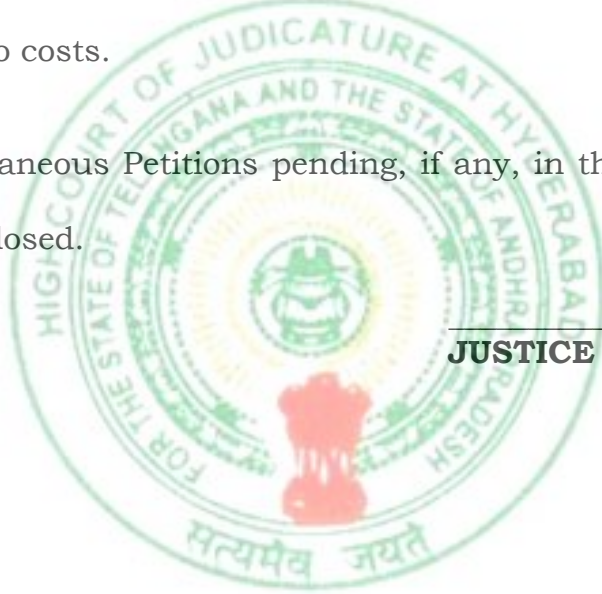
4. Considering the facts and circumstances of the case, respondent No.2 is directed to release the original Registration Certificate of the vehicle in question for interim custody of the petitioner on condition of the petitioner depositing an amount of Rs.50,000/- (Rupees fifty thousand only) in favour of respondent No.3. Further, respondent No.2 is directed to conduct an enquiry after issuing appropriate notice to the petitioner and decide the issue.

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

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

30.06.2017
AMD

JUSTICE RAJA ELANGO



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Date: 30.06.2017

AMD