

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.40931 of 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in seizing the vehicle Nissan Sunny XLD with Engine no.K9KE424E050378 and Chasis No.MDHBDAN17 H9601527 with temporary registration no. AP 16 XA TR 6383 under VCR.No.1924124 dt.25.11.2017 as illegal, arbitrary and contrary to law and consequently direct the 2nd respondent to forthwith release the petitioner vehicle and to pass such other order or orders as this Hon’ble Court may deems fit just and proper in the circumstances of the case.”

(Reproduced verbatim)

2. I have heard the submissions of Sri S.Sridhar, learned counsel appearing for the petitioner, and of the learned Government Pleader for Transport appearing for the respondents 1 to 3. I have perused the material record.

3. Learned counsel for the petitioner would submit that the petitioner will approach the appropriate authority and file an application for release of the vehicle and the authority concerned may be directed to release the vehicle on producing the necessary vehicular documents and also proof of payment of life tax.

4. Learned Government Pleader, having submitted that in matters of identical nature, this Court is disposing of writ petitions with certain directions, placed on record an order, dated 22.09.2017, of this Court in W.P.No.32571 of 2017 and requested that this writ petition may be disposed of on the same lines.

5. Recording the submissions, the Writ Petition is disposed of directing the petitioner to make an application to the 3rd respondent for release of the vehicle Nissan Sunny XLD bearing temporary registration No.AP 16 XA TR 6383; and on such application being made, the 3rd respondent shall consider the same and release the vehicle, in accordance with law, as expeditiously as possible and preferably within a period of three (03) days from the date of receipt of a copy of this order, subject to the petitioner complying with the necessary requirements and on producing proof of payment of life tax.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE M. SEETHARAMA MURTI

Date: 6th December, 2017

Note: Issue C.C. by tomorrow.

(B/o.)
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