

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.14036 of 2011

ORDER:

The relief sought for in this Writ Petition is for a mandamus to declare seizure of the petitioner's vehicle, vide vehicle check report dated 06.05.2011, as illegal, arbitrary and in violation of Article 19(1)(g) of the Constitution of India. A consequential direction is sought to the Secretary, RTA Visakhapatnam to release the petitioner's vehicle.

While admitting the Writ Petition this Court, by order in WPMP No.16967 of 2011 dated 11.05.2011, granted the petitioner liberty to make an application under Rule 448-B of the A.P. Motor Vehicles Rules, 1989 for release of the vehicle; and directed that, on such an application being made, the first respondent should consider the same within three days thereafter, and pass appropriate orders.

As the petitioner was granted liberty to file an application to seek release of the lorry, and the first respondent was directed to pass orders thereupon within three days, any grievance which the petitioner may have against the order passed by the first respondent, can only be agitated in independent legal proceedings.

It is evident, therefore, that the cause in the Writ Petition does not survive necessitating any further adjudication by this Court. The Writ Petition has become infructuous and is, accordingly, dismissed. The miscellaneous petitions pending, if any, shall stand closed. No costs.

RAMESH RANGANATHAN, ACJ

Date: 09.02.2018

MRKR

