

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

WRIT PETITION No.16864 of 2017

ORDER:

At request of learned counsel for petitioner Sri P. Srihari Nath and learned Government Pleader for Transport appearing for respondents, this Writ Petition is disposed of at the stage of admission.

2. The petitioner seeks Writ of Mandamus declaring the seizure of petitioner's goods carriage Ashok Leyland vehicle bearing No. AP-20-TC-1445, by the third respondent under vehicle Check Report No. 1936381 dated 5.5.2017 is illegal and further to declare the action of the second respondent in not releasing the vehicle by collecting overload penalty, as per the provisions contained under Section 194 of the Motor Vehicles Act, 1988 as illegal.

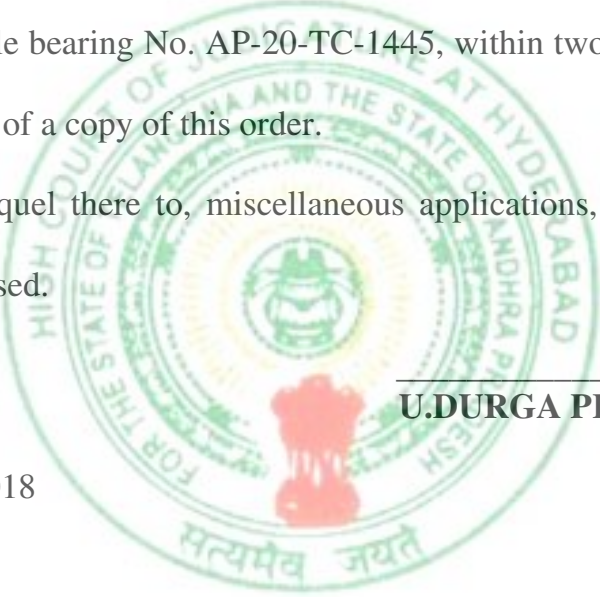
3. It is seen, this Court in its order dated 11.5.2017, directed the Regional Transport Authority to consider release of the subject vehicle, on petitioner depositing Rs. 2,000/- towards fine and Rs. 1,000/- towards additional amount per tonne of excess load.

4. It is submitted by the petitioner that the said direction was complied with and vehicle was released and hence, nothing survives for disposal of the Writ Petition. However, he would submit that at the time

of seizure of vehicle, the documents relating to the vehicle were also seized and withheld by the authorities.

5. In view of the above submission, the Writ Petition is disposed of, for nothing survives for further adjudication. Since the penalty and additional amount were admittedly deposited by the petitioner, the concerned authority shall release the documents pertaining to Ashok Leyland vehicle bearing No. AP-20-TC-1445, within two weeks from the date of receipt of a copy of this order.

7. As a sequel there to, miscellaneous applications, pending if any, shall stand closed.



U.DURGA PRASAD RAO, J

Date: 05.01.2018
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