

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.44318 of 2018

ORDER:

- 1) Heard Sri Y.Balaji, learned counsel for the petitioner and learned Government Pleader for Transport, appearing for respondents.
- 2) The present writ petition came to be filed seeking release of the vehicle bearing No.AP 01 L 2877.
- 3) It is stated by the petitioner that the owner of the vehicle died on 02.07.2009 and thereafter his brother, who is the petitioner herein, was using the said vehicle. In the year 2013, the said vehicle was detained for violation of the provisions of the motor vehicles Act. The check report which is placed on record would show that there is no proof of payment of tax for the Quarter Ending 30.09.2013. The petitioner also failed to produce FC, Permit, IC, PUC and Driving licence. Learned counsel for the petitioner would submit that the vehicle is in a bad condition as it is lying idle since last five years and that the same may be released, since it is being used for agricultural operations.
- 4) The same is opposed by the learned Government Pleader for Transport, stating that if the petitioner intends to seek release of the vehicle, he has to pay tax and the penalty imposed

thereon. At this stage, learned counsel for the petitioner would contend that there is no tax over the vehicle from the year 2013.

5) Be that as it may, without going into the said aspects, the writ petition is disposed of directing the petitioner to make an application for release of the vehicle bearing No. No.AP 01 L 2877, before the concerned authorities, in which event the vehicle shall be released on such terms as the authority deems fit and proper, in accordance with the provisions of law.

6) There shall be no order as to costs. As a sequel thereto, miscellaneous petitions pending if any, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

Dt: 11.12.2018
vhh

