

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.11570 OF 2019

DATED :18.06.2019

Between :

Sri Mohammed Younus,
S/o.Mohd. Abdul Qayyum,
Aged about 34 yrs,
R/o.H.No.20-7-155/5, Qazipura,
Shah Ali Banda, Bahadurpura, Hyderabad.

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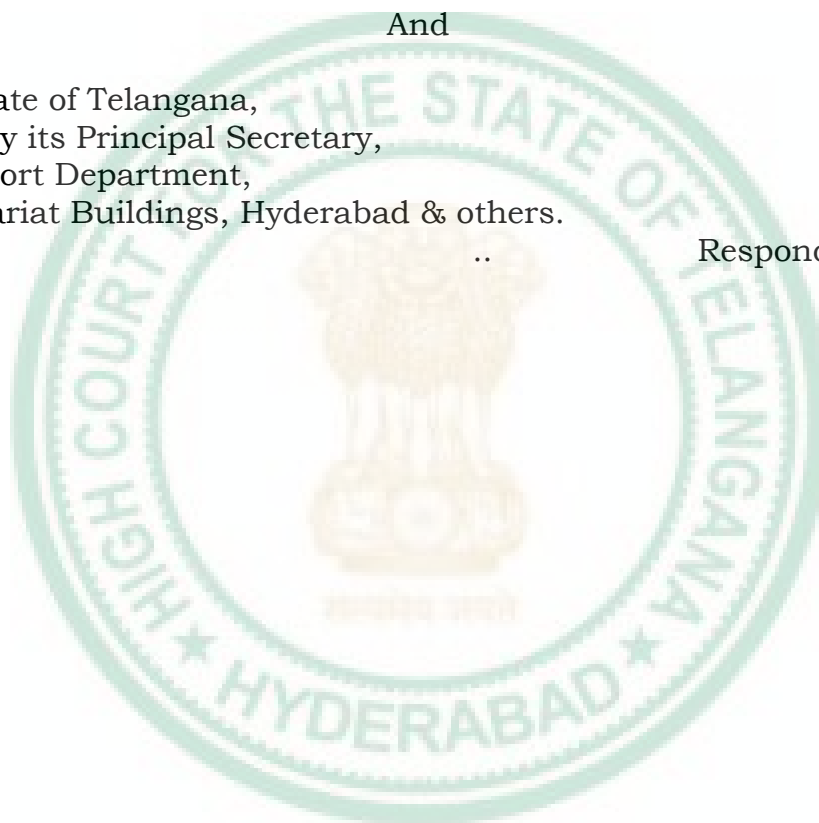
Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Transport Department,
Secretariat Buildings, Hyderabad & others.

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Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner and learned Government Pleader for Transport.

2. Petitioner claims to have purchased 12 Maxi Cab vehicles in the State of Nagaland. After purchase, the said vehicles were brought to the State of Telangana. Petitioner wants to convert the Maxi cab vehicles to Omni to run them as private vehicles and representations were made requesting for conversion. Alleging inaction on the representations, this writ petition is filed.

3. According to learned Government Pleader unless the vehicles are registered in the State of Nagaland and in this State, the request for conversion cannot be accepted. He also emphasized that there is no provision for conversion. Learned Government Pleader informs the Court that out of 12 vehicles, only 5 vehicles are registered.

4. Learned counsel for the petitioner submits that there are instances where straight away such conversion was permitted and vehicles were registered as per the conversion status.

5. This Court is not expressing any opinion on the aspect whether the vehicles can be converted from Maxi Cabs to Omni. The fact remains that the vehicles were purchased outside the State of Telangana and brought to the State of Telangana.

6. Section 47 of the Motor Vehicles Act (for short 'the M.V.Act'), requires a person to seek registration of the vehicle brought from outside the State. This section does not envisage straight away registration of vehicle brought from different state with different status. It is apparent that the vehicle has to be registered with same specifications when the vehicle was purchased. Thus, petitioner requires to comply with the provision in Section 47 of the M.V.Act, before making a request for conversion.

7. It is open to the petitioner to present the remaining vehicles which are not registered, before the competent authority for registration as Maxi Cabs. On registration it is open to the petitioner to apply to the competent authority for conversion of vehicles from Maxi Cabs to Omni. As and when such application is made, the competent authority shall consider the request for such conversion as permissible, and take a decision. A decision to that affect shall be taken within two weeks from the date of submission of application for conversion after registration of the vehicles, in accordance with law.

8. With the above observations, the Writ Petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed.

18th June, 2019
Rds

P.NAVEEN RAO,J