

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.18502 OF 2019

Date:26.08.2019

Between:

Binginapalli Brahmaiah, S/o. B. Balakrishna,
Aged about 32 years, Occ: Driver,
Owner of vehicle No.TS 15UA 3637,
R/o.H.No.3-4-6, Hyderguda,
Rajendranagar, Hyderabad and others .. Petitioners

And

The State of Telangana, rep., by its
Principal Secretary, Transport Department,
Secretariat, Hyderabad and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.18502 OF 2019

ORDER:

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

2. This writ petition is filed seeking the following relief:

“For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon’ble Court may be pleased to issue appropriate Writ or any other order or direction particularly one in the nature of Writ of Mandamus to declare the action of the respondent No.3 in not renewing the Fitness of the petitioners vehicle in spite of their repeated requests is arbitrary, illegal, unconstitutional and consequently direct the respondent No.3 to renew the fitness of the petitioners vehicle at the earliest and to pass such other order or orders appropriate in the case.”

3. When the matter is taken up, it is submitted by learned counsel for the petitioners as well as learned Government Pleader for Transport appearing for the respondents that the issue raised in the present writ petition is squarely covered by the order dated 06.04.2017 passed by this Court in W.P.No.9570 of 2017. The relevant portion of the aforesaid order reads as under:

“... In those circumstances, the writ petition is allowed directing the respondent authorities to allow the petitioners forthwith to submit their applications through online and process the same as expeditiously as possible and complete the testing formalities within a period of two weeks from the date of receipt of a copy of this order. However, it is made clear that the respondent authorities may take action against the petitioners for furnishing the alleged fake addresses and getting their vehicles registered, in accordance with law.”

4. Following the aforesaid order and for the reasons stated therein, this writ petition is also allowed in terms thereof. Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date:26.08.2019

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