

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.26408 OF 2019

Date:13.12.2019

Between:

Gajula Srikanth, S/o. Gajula Kishan,
Aged about 30 years, R/o.H.No.19-3-249/93,
Vattepally, Falaknuma, Hyderabad and others .. Petitioners

And

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



The Court made the following:

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ORDER:

This Writ Petition is filed seeking the following relief:

“... to issue a writ order or direction more particularly one in the nature of writ of Mandamus, declaring the action of the respondents in not considering the application submitted by the petitioners dated 22.11.2019 for conversion of the vehicles from Maxi Cab to Omni Bus of the petitioners bearing Registration Nos.TS 07UB 8931, AP 09TA 4220, TS 06UA 5586, AP 22X 9766, TS 08UB 4187, AP 11Y 7634, AP 12U 5012, TS 08UD 0404, AP 12V 1709, AP 12V 1721, AP 09TB 0463, AP 09TA 1651 and TS 10UA 0533, as illegal, arbitrary, mala fide and violation of Articles, 14, 16 and 21 of the Constitution of India, 1950, consequently direct the respondents to convert the vehicles of the petitioners from Max Cab to Omni Bus under Section 47 of the M.V. Act, 1988, and pass such other order or orders as this Hon'ble Court deem fit and proper..”

2. When the matter is taken up, learned counsel for the petitioners submits that this Court in W.P.No.11570 of 2019, dated 18.06.2019, directed the authorities to consider the application of the petitioner therein to convert the vehicles therein from transport to non-transport category i.e, Maxi Cab to Omni Van; and therefore similar orders may be passed in this Writ Petition.

3. Learned Government Pleader for Transport submits that in W.P.No.11570 of 2019, the petitioner therein sought transfer of registration and conversion of transport category vehicles (Maxi Cab) of other State to non-transport category vehicles (Omni Van) of Telangana State, and in those circumstances, this Court directed the transport authority to comply with Section 47 of

the Motor Vehicles Act, before entertaining the application for conversion from transport category to non-transport category. However, learned Government Pleader submits that the vehicles in the present case, notwithstanding registered during the period of composite State of Andhra Pradesh, the vehicles belong to the Telangana State inasmuch as they bear registration addresses of Hyderabad region, the registering authority may be directed to consider the application dated 22.11.2019 submitted by the petitioners for conversion of subject vehicles from transport category to non-transport category, in accordance with law.

4. Having regard to the respective submissions, the Writ Petition is disposed of with a direction to the competent authority to consider the application dated 22.11.2019 submitted by the petitioners for conversion of category of their vehicles from transport to non-transport, by following the due procedure prescribed under law, within a period of two weeks from the date of receipt of a copy of this order. Pending Miscellaneous Petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:13.12.2019

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