

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.28905 OF 2019

Date:30.12.2019

Between:

Ganji Saleshwara Lingaiah,
S/o. Narsimhulu, aged about 40
Years, Occ: Driver Owner of the vehicle
No.TS 15UA 2162, R/o.H.No.8-8-88/1,
Padmashalipuram, Katedan, Rajendranagar,
Ranga Reddy District 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:

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ORDER:

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

2. Petitioners claim to be owners of motor vehicles and the respective particulars of which are furnished in the cause title against each of the petitioners.

3. In this writ petition, petitioners are aggrieved by the inaction on the part of the respondents in renewal of fitness certificates of the respective vehicles of the petitioners in spite of repeated requests made by them.

4. From the material on record, it appears that the vehicles of the petitioners were registered in Sanga Reddy. It is alleged by the learned Government Pleader that since the vehicles of the petitioners are Bharat Stage-III vehicles, by giving wrong addresses, they got the vehicles registered at Sanga Reddy as Bharat Stage-III vehicles are not accepted for registration in Hyderabad.

5. The fact remains that the registration of vehicles of the petitioners are not cancelled as on today. But, the respondent authorities refused renewal of fitness certificates. According to the procedure evolved by the respondents, the applications for renewal of fitness certificates shall be made through online web portal, but the same is not accessible to the petitioners on the ground that

registrations were done on the basis of fake addresses given by them.

6. The very issue was considered by this Court in W.P.No.9570 of 2017. It is not disputed by the learned Government Pleader that the petitioners herein are similarly situated.

7. In view of the same, following the order passed in W.P.No.9570 of 2017, this writ petition is also disposed of in terms thereof, directing the respondent authorities to allow the petitioners forthwith to submit their applications through online for renewal of fitness certificates 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 Sanga Reddy, in accordance with law. It is also made clear that the petitioners shall comply with all the required formalities for obtaining renewal of fitness certificates. Miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

Date:30.12.2019

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P.NAVEEN RAO, J