

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.431 OF 2020

Date:08.01.2020

Between:

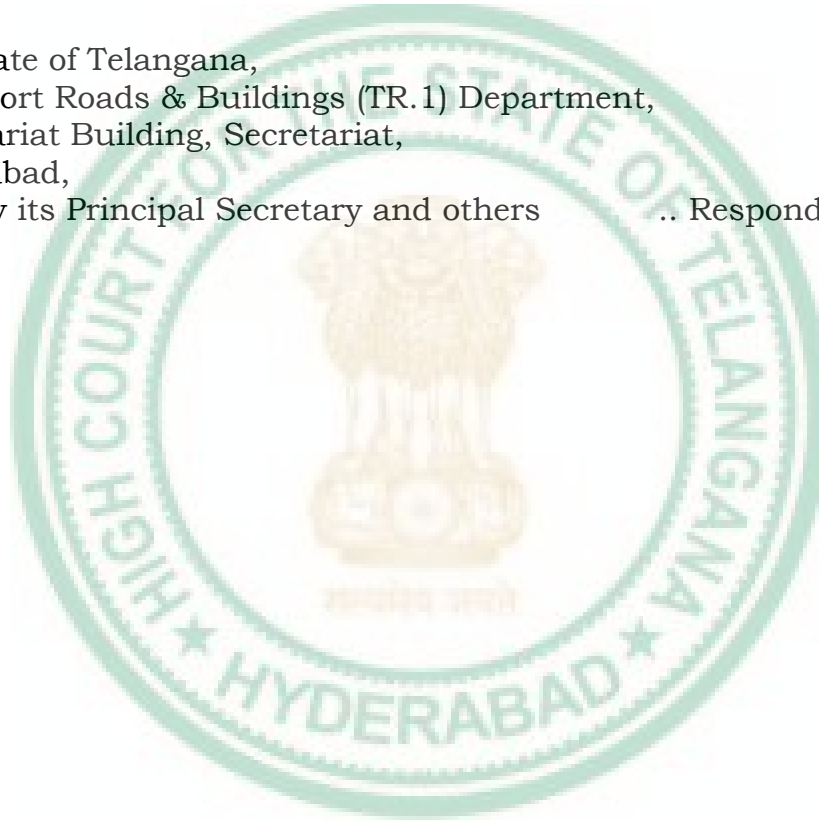
Mohammed Mohsin Khan,
S/o. Mohammed Suleman Khan,
Aged about 35 years, Occ: Business,
R/o.19-4-14/2/A/10, Yousufain Gulshan Colony,
Hashambad, Falaknuma, Hyderabad

.. Petitioner

And

The State of Telangana,
Transport Roads & Buildings (TR.1) Department,
Secretariat Building, Secretariat,
Hyderabad,
Rep. by its Principal Secretary and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.431 OF 2020****ORDER:**

This Writ Petition is filed seeking the following relief:

“... to issue Writ, Order or Direction especially one in the Nature of Writ of Mandamus declaring the action of the 3rd respondents in not considering the application dt. 16-12-2019 submitted by the petitioner for conversion of Motor cab bearing No.TS 12 UC 2445 from Transport to Non-transport (personal vehicle) is illegal, arbitrary, and contrary to the provisions of Motor Vehicles Act and Rules made there under and consequently direct the respondent No.3 to consider the application dt.16-12-2019 of the petitioner for conversion of Motor cab Bearing No. TS 12 UC 2445 from Transport to Non-transport (personal vehicle) and in accordance with law and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

2. When the matter is taken up, learned counsel for the petitioner 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 vehicle in the present case belongs to the Telangana State and therefore, the registering authority may be directed to consider the application dated 16.12.2019 submitted by the petitioner for conversion of subject vehicle 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 16.12.2019 submitted by the petitioner for conversion of category of his vehicle 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. There shall be no order as to costs.

January 08, 2020.

MD

P. NAVEEN RAO, J

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MD