

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITON No. 1594 of 2020

ORDER:

This writ petition is filed challenging the action of 3rd respondent in seizing the vehicle Goods Carrier-HMV bearing No.AP 31 X 9869 with Chassis Number 444026LUZ754956 of the petitioner for non production of the vehicle related documents; and for a consequential direction to respondents to release the said vehicle to the petitioner.

Heard learned counsel for the petitioner.

Learned Assistant Government Pleader for Transport produced written instructions stating as follows;

“As per the vehicle check report, the subject vehicle is plying without payment of tax.

Hence, the following rates of quarterly tax and penalties have been levied in accordance with the Telangna State Motor Vehicles Taxation Act, 1963 besides the compounding fee as per schedule amended.

Motor Vehicle bearing No.AP 31X 9869 was checked on 23.11.2019.

Last tax paid upto the quarter ending 31.12.2018 on 01.04.2019.

S.No.	Period	Quarterly Tax	Penalty	Total (Amt.In Rs.)
1.	QE:31/03/2019	5740/-	11480/-	17220/-
2.	QE:30/06/2019	5740/-	11480/-	17220/-
3.	QE:30/09/2019	5740/-	11480/-	17220/-
4.	QE:31/12/2019	5740/-	11480/-	17220/-
5.	QE:31/03/2020	5740/-	11480/-	NIL
	Total	28700/-	57400/-	86100/-

Learned Counsel for the petitioner submits that petitioner will pay tax of Rs.28,700/- + Compounding Fee of Rs.10,000/- for release of the vehicle; and that the penalty will be paid subject to result of the appeal to be filed by the petitioner.

Since petitioner has remedy of filing appeal against penalty, this writ petition is disposed of directing the respondent authorities to release the vehicle of the petitioner subject to payment of tax, compounding fee i.e. 28,700 + 10,000 and production of driving licence by the petitioner. It is also open for the petitioner to file appeal challenging the penalty within a period of 30 days. If petitioner fails to file appeal within 30 days it is open for respondents to take action for recovery of penalty amount. No order as to costs.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

28.01.2020
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A.RAJASHEKER REDDY, J

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY



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