

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 2197 of 2020

ORDER:

This writ petition is filed for the following relief;
“...to issue writ order or direction especially one in the nature of Writ of Mandamus declaring the seizure of the petitioner's vehicle bearing No.TS 07 UE 7488 vide vehicle check report No.0235407, dt.28.01.2020 is illegal, arbitrary and further declare the action of the 2nd respondent in not releasing the vehicle bearing No.TS 07 UE 7488 inspite of the petitioner showing his willingness to pay the admitted tax due and compounding fee is also illegal and arbitrary and consequently direct the 2nd respondent to release the petitioner's vehicle bearing No.TS 07 UE 7488 by collecting the admitted tax due and compounding fee and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

Heard learned counsel for the petitioner as well as the learned Government Pleader for Transport and both the counsel represents that the *lis* in the writ petition is squarely covered by order dt.11.08.2016 in WP.No.26924 of 2016.

In view of the above and for the reasons alike, this writ petition is also disposed of in terms of the said order directing the respondents to release the vehicle in favour of petitioner subject to payment of admitted tax and compounding fee, but however, the assessment proceedings may go on and the penalty imposed may not be recovered for a period of 30 days, as imposition of penalty is appealable. If no appeal is preferred or no order is obtained, the penalty becomes liable

to be paid. It is also made clear that the petitioner shall not alienate the vehicle till disposal of the appeal. No order as to costs.

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

A.RAJASHEKER REDDY, J

04.02.2020
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