

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.3261 of 2020

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Home appearing for respondents.

2. Learned counsel for the petitioner submits that the petitioner, who is a Medical Practitioner, is the owner of the vehicle bearing No.TS 07 ES 3743 and he engaged one P.Vinod as Office Boy on 18.01.2020 and the said Vinod took the vehicle without the knowledge of the petitioner, and when he was crossing the road near Shamshabad Bus Stand, the said vehicle was detained illegally by the 3rd respondent on the ground that driver of the said vehicle did not wear helmet and failed to produce his licence and the relevant documents relating to the said vehicle. Further, learned counsel for the petitioner, while seeking release of the vehicle, submits that the 3rd respondent has unlawfully seized the said vehicle.

3. The learned Assistant Government Pleader for Home appearing for respondents states that on 18.01.2020 since the driver did not wear helmet and failed to produce his driving licence and relevant documents, the police authorities have taken custody of the vehicle temporarily and placed the vehicle at 3rd respondent police station and on production of documents and paying prescribed fine, the vehicle would be released to the owner.

4. Having regard to the above, the petitioner is directed to appear before the 3rd respondent with documents of vehicle in question, produce proof of his identity and by giving an undertaking to produce the driver of the vehicle before the respondent authorities within the time as may be

considered reasonable by the said authority. Upon the petitioner approaching the 3rd respondent or other official, who has the custody of the vehicle in question and producing the documents and also executing the undertaking, the said authority shall release the vehicle to the petitioner forthwith upon collecting the fine as provided under the Motor Vehicles Act for violation of provisions of the M.V.Act.

5. Subject to the above observation, the Writ Petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

Date:17.02.2020

GJ

JUSTICE T.VINOD KUMAR

