

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.4088 of 2020

ORDER:

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

2. Learned counsel for the petitioners submits that the 2nd petitioner is the owner of the vehicle bearing No.TS 23 A 8602 and when he was returning to home, after attending a function, on 31.01.2020, at Holistic Hospital Road, Kukatpally, the said vehicle was detained illegally by the 3rd respondent, on the ground that the 2nd petitioner did not wear helmet and failed to produce his licence and the relevant documents relating to the said vehicle. Further, learned counsel for the petitioners, 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 31.01.2020 since the 2nd petitioner 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 2nd 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 the effect that the 2nd petitioner would appear before the respondent authorities within the time as may be considered reasonable by the said authority. Upon the 2nd

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 2nd 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:26.02.2020

GJ

JUSTICE T.VINOD KUMAR

