

**HIGH COURT FOR THE STATE OF TELANGANA
(Special Original Jurisdiction)**

**MONDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND TWENTY**

PRESENT

THE HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION NO: 4372 OF 2020

Between:

M/s ShriramTransport Finance Co Ltd, D.No.8-5-153, Ground Floor, Opp. Prakasham Stadium Gate, Court Road, Prakash Nagar, Kothagudem-507101 Rep by its authorised officer V.Muralidar S/o V.Radha Krishna

...PETITIONER

AND

1. The State of Telangana and another, Rep. by its Principal Secretary, Transport Roads and Buildings Department, Secretariat Building, Hyderabad
2. The Regional Transport Officer, Kothagudem, Bhadrachalam Kothagudem District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to declare the inaction of the 2nd respondent in not passing any orders on my application dated 27/12/2019 for issuing fresh registration certificate in respect to vehicle bearing Nos.AP2OTA 3035 and AP2OTA 3036 even after submitting all the relevant papers in Form No.36, as being illegal, arbitrary, violation of principles of natural justice, discriminatory and unconditional, fair plea and in violation of Article 14, 19 and 21A of the Constitution of India.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 2nd respondent to consider my representation dated 27/12/2019 and release the fresh registration certificates in respect to vehicle bearing Nos.AP2OTA 3035 and AP2OTA 3036 in favour of petitioner, pending disposal of the writ petition and without deciding the eligible claimants.

Counsel for the Petitioner: SRI PRAVEEN KUMAR CHALLA

Counsel for the Respondents 1 & 2 : GP FOR TRANSPORT

The Court made the following: ORDER

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.4372 of 2020

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of the 2nd respondent in not passing any orders on the petitioner's application, dated 27.12.2019, for issuing fresh registration certificate in respect of vehicle bearing Nos.AP-20-TA-3035 and AP-20-TA-3036, even after submitting all the relevant papers in Form No.36, as arbitrary and illegal.

2. Heard the learned counsel for the petitioner and learned Assistant Government Pleader for Transport appearing for the respondents.

3. On instructions, learned Assistant Government Pleader for Transport, would submit that the application of the petitioner would be considered by the authorities concerned subject to petitioner paying tax and incidental charges including penalty as per the rules.

4. On the other hand, learned counsel for the petitioner would submit that the petitioner will pay necessary tax, incidental charges and penalty as per the rules, therefore, issue a direction to the authorities concerned to consider the petitioner's application.

5. In view of the same, the Writ Petition is disposed of directing the 2nd respondent to consider the petitioner's application, dated 27.12.2019 subject to petitioner paying tax, incidental charges and penalty, as per the rules.

6. With the above direction, the writ petition is disposed of. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

SD/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, State of Telangana and another, Transport Roads and Buildings Department, Secretariat Building, Hyderabad
2. The Regional Transport Officer, Kothagudem, Bhadrachalam District.
3. One CC to Sri. Praveen Kumar Challa Advocate [OPUC]
4. Two CCs to GP for Transport, High Court for the State of Telangana. [OUT]
5. Two CD Copies

SSV
PLP



HIGH COURT

DATED:02/03/2020



ORDER

WP.No.4372 of 2020

DISPOSING OF THE WP
WITHOUT COSTS

7
MMH
20/4/2020,