APHC010561022026

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

Bench Sr.No:-2 [3584]

WP(PIL) NO: 263 of 2026

Chittineni Sambasiva Rao ...Petitioner

Vs.

The State of Andhra Pradesh and Others ...Respondents

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CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE CHALLA GUNARANJAN

DATE : 10th November, 2026

Present :

Advocate for Petitioner : Mr Thandava Yogesh

Advocate for Respondent(s) : GP for Transport for R.1 to R.3

LISA GILL, CJ:

Prayer in this writ petition reads as under:

> "..this Hon'ble Court may be pleased to issue a Writ, Order or Direction, more particularly one in the nature of a Writ of Mandamus, declaring the inaction of Respondent Nos. 1 to 3 in not issuing directions under Section 67(1) of the Motor Vehicles Act, 1988 fixing the fares, including the maximum and minimum fares, for private contract carriage buses (including All India Tourist Permit / inter-State buses selling tickets seat-wise) plying in and through the State of Andhra Pradesh, and in not ensuring disclosure of statutory safety particulars of such buses on online booking platforms, as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India and the provisions of the Motor Vehicles Act, 1988, and consequently direct the respondents to:

i) issue a notification under Section 67(1) of the Motor Vehicles Act, 1988 prescribing a scientific, class-wise (Seater/Sleeper, AC/Non-AC, Volvo/Multi-axle) and distance-based fare band, with a ceiling (maximum) and a floor (minimum) fare per kilometre for private contract carriage buses, determined on objective parameters such as route distance, fuel prices, toll charges, taxes, insurance, maintenance, depreciation, cost of statutory safety compliance and a reasonable return, with periodic revision;

ii) prohibit arbitrary surge pricing above the notified ceiling and predatory under- pricing below the notified floor, and ensure that any additional fare for festivals, weekends or peak days does not exceed the limit which the State has itself prescribed for APSRTC special services vide G.O.Ms.No.70, Transport, Roads & Buildings (Tr.II) Department, dated 26.12.2015, i.e., one and half times the normal fare;

iii) establish an effective passenger grievance redressal mechanism with a toll- free helpline, WhatsApp number and online portal, mandatory display of the notified fare table inside every bus and on every booking platform, and strict penal action, including suspension/cancellation of permits under Section 86 of the Motor Vehicles Act, 1988, against operators and agents violating the fare and safety norms;

iv) prescribe, by rules under Section 96 and licence conditions under Section 93 of the Motor Vehicles Act, 1988, a penalty and recovery framework on the lines of the Drugs (Prices Control) Order issued under the Essential Commodities Act, 1955, under which (a) any fare collected above the notified ceiling is treated as an overcharge and refunded to the passenger with interest; (b) the operator and the online aggregator/agent through whose platform the ticket was sold are jointly and severally liable for the refund and for a penalty proportionate to the overcharge; (c) the aggregators are required to technically block the listing of any fare above the ceiling or below the floor; (d) repeated violations result in suspension/cancellation of the operator's permit under Section 86 and of the aggregator's/agent's licence under Section 93; and (e) the names of

violators are published; and to prosecute violators under Sections 192A and 193 of the Motor Vehicles Act, 1988;

v) direct Respondent Nos. 4 to 7 to prominently display, before confirmation of every booking, the Government-notified fare band and, in respect of each bus offered, the validity of its Certificate of Fitness, Permit (including type of permit), Insurance, Pollution Under Control Certificate, vehicle age, name and licence validity of the assigned driver(s), second-driver compliance for long-distance/night services and emergency safety equipment, and not to offer for booking any bus whose statutory documents are not valid;

vi) direct Respondent Nos. 2 and 3 to bring the online ticketing platforms within the licensing regime applicable to agents/canvassers for sale of tickets of public service vehicles and aggregators under Section 93 of the Motor Vehicles Act, 1988, and to integrate the VAHAN/SARATHI databases so that the safety particulars displayed are verified in real time; and to pass such other order or orders as this Hon'ble Court deems just in the circumstances of the case and in the interest of justice."

2. Learned counsel for petitioner submits that representation dated 20.07.2026 was submitted in this regard but no action has been taken till date.

3. Notice of motion to respondent Nos.1 to 3 only at this stage. Learned Government Pleader for Transport accepts notice on behalf of said respondents and waives service. Keeping in view the nature of order being passed, there is no requirement of counter at this stage.

4. At this stage, keeping in view the facts and circumstances, we deem it appropriate to dispose of this writ petition with a direction to respondent No.2 to look into representation dated 20.07.2026 filed by

petitioner as well as take into consideration present writ petition and take a decision thereon by way of a speaking order. Needful be done expeditiously and definitely within two months from today. In case of any subsisting grievance, petitioner is at liberty to avail his remedies. There is no expression of opinion on merits of the matter.

5. Writ Petition is, accordingly, disposed of. No costs.

Pending application(s) if any stand(s) disposed of accordingly.

LISA GILL, CJ

CHALLA GUNARANJAN, J

10.11.2026

Vjl

Whether the order is Speaking/Reasoned : Yes / No

Whether the order is Reportable : Yes / No