IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 11633 OF 2026

Between:

Narendar Bhati, S/o Shivlal Bhati, Aged about 38, Yrs, Occ Business. R/o. H.no 1-12 Old Miyapur, Plot 204 Miyapur, Opp Praghathi Enclave Miyapur, Serilingampally, Ranga Reddy, Telangana - 500049.

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary, Transport Department, Secretariat, Hyderabad.
2. The Joint Transport Commissioner and Secretary (RTA), Office of the SRTA, Khairatabad Central Zone, Hyderabad.
3. The Deputy Transport Commissioner, Ranga Reddy District. Telangana
4. The Assistant Motor Vehicle Inspector, O/o, DTO, Mancherial, Telangana.

...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 issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 4th Respondent in seizing the Petitioners goods vehicle bearing No. TG 07 T 4220, pursuant to Vehicle Check Report No. 0152432 dated 07.04.2026, as illegal, arbitrary, and unconstitutional, being violative of Article 19(1)(g) of the Constitution of India and consequently direct Respondent Nos. 2 and 3 to forthwith release the said vehicle upon collection of the applicable compounding amount as prescribed under Section 200(1) of the Motor Vehicles Act, 1988.

I.A. NO: 1 OF 2026

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 It is therefore prayed that this Honourable Court may be pleased to direct the Respondents to forthwith release the Petitioners vehicle bearing No. TG 07 T 4220, pending disposal of the above writ petition, on such terms and conditions as this Honourable Court may deem fit and proper.

Counsel for the Petitioner: SRI KAMPALLI UDAY KANTH
Counsel for the Respondents: AGP FOR TRANSPORT

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

HON'BLE MRS. JUSTICE SUREPALLI NANDA

WRIT PETITION No.11633 OF 2026

DATE: 17.04.2026

Between:

Narendar Bhati

...Petitioner

And

State of Telangana,
Represented by its Principal Secretary,
Transport Department, Secretariat,
Hyderabad and another

...Respondents

ORDER

Heard Sri Kampalli Uday Kanth, learned counsel appearing on behalf of the petitioner and the learned Assistant Government Pleader for Transport appearing on behalf of the respondents.

2. **The petitioner approached the Court seeking prayer as under:**

> "...to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 4th Respondent in seizing the Petitioner's goods vehicle bearing No. TG 07 T 4220, pursuant to Vehicle Check Report No.0152432 dated 07.04.2026, as illegal, arbitrary, and unconstitutional, being violative of Article 19(1)(g) of the Constitution of India; and consequently direct Respondent Nos. 2 and 3 to forthwith release the said vehicle upon collection of the applicable compounding amount as prescribed under Section 200(1) of the Motor Vehicles Act, 1988; and pass ..."

3. The case of the petitioner in brief as per the averments made in the affidavit filed by the petitioner in support of the present Writ Petition is as under:-

The petitioner is the registered owner of the goods vehicle bearing registration No.TG07 T 4220, which possesses a valid goods carriage permit. On 07.04.2026 at about 01:35 p.m., while the vehicle was proceeding from Jaipur towards Hyderabad carrying a fly ash load, the respondent authorities intercepted it and issued Vehicle Check Report No.0152432 alleging overloading of 5,560 kgs based on discrepancy in recorded weight and further alleging non-production of documents such as RC, tax, PUC, fitness certificate, permit and driving licence. Thereafter, the vehicle was detained under Section 113 of the Motor

Vehicles Act, 1988 and kept at Jaipur Police Station. Aggrieved by the same, the petitioner approached this Court by filing the present writ petition.

4. PERUSED THE RECORD:

The relevant portion of the order of this Court dated 27.11.2025 passed in W.P.No.36046 of 2025 is extracted hereunder:

> "4. In view of the aforesaid statutory provisions, ends of justice would be met if the respondents are directed to consider release of the subject vehicle forthwith to the petitioner on his fulfillment of the following conditions:
>
> 1) He shall deposit Rs.20,000/- and an additional amount of Rs.2,000/- per tonne of excess load;
> 2) He shall also pay the charges, intimated to him by the respondents, for off-loading of the excess permissible weight;
> 3) He shall furnish an undertaking to produce the subject vehicle as and when required to be produced before the jurisdictional Magistrate; and
> 4) He shall file proof of ownership documents before the concerned Authority.

5. The Writ Petition is disposed of accordingly. The miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs"

DISCUSSION AND CONCLUSION:

5. Learned counsel appearing on behalf of the petitioner submits that the issue involved in the present writ petition is squarely covered by the order of this Court dated 27.11.2025 passed in W.P.No.36046 of 2025, and hence, the petitioner in the present writ petition is also entitled for the same relief as extended to the petitioner in W.P.No.36046 of 2025.

6. Learned Assistant Government Pleader for Agriculture, appearing on behalf of respondents does not dispute the said submission made by the learned counsel appearing on behalf of the petitioner, however, contends that the petitioner also has to pay the compounding fee amount as per the relevant rules in force.

7. Learned counsel appearing on behalf of the petitioner contends that the petitioner is ready and

willing to pay the compounding amount as levied by the respondents herein.

8. TAKING INTO CONSIDERATION:

a) The aforesaid facts and circumstances of the case,

b) The submissions made by the learned counsel appearing on behalf of the petitioner and the learned Assistant Government Pleader for Transport appearing on behalf of the respondents,

c) The orders of this Court dated 27.11.2025 passed in W.P.No.36046 of 2025 (referred to and extracted above),

d) The discussion and conclusion as arrived at paragraph Nos.5 to 7 of the present order,

The writ petition is disposed of in terms of the order of this Court dated 27.11.2025 passed in W.P.No.36046 of 2026 directing the respondents to consider the request of the petitioner for release of

the subject vehicle forthwith to the petitioner on his fulfillment of the following conditions:

1) **The petitioner shall deposit an amount of Rs.20,000/- and an additional amount of Rs.2,000/- per tonne of excess load;**

2) **The petitioner shall also pay the charges, intimated to him by the respondents, for off-loading of the excess permissible weight;**

3) **The petitioner shall furnish an undertaking to produce the subject vehicle as and when required to be produced before the jurisdictional Magistrate; and**

4) **The petitioner shall file proof of ownership documents before the concerned Authority.**

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed. There shall be no order as to costs.

SD/- S.MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Transport Department, Secretariat, Hyderabad, State of Telangana.
2. The Joint Transport Commissioner and Secretary (RTA), Office of the SRTA, Khairatabad Central Zone, Hyderabad.
3. The Deputy Transport Commissioner, Ranga Reddy District. Telangana
4. The Assistant Motor Vehicle Inspector, O/o, DTO, Mancherial, Telangana.

5. One CC to SRI KAMPALLI UDAY KANTH, Advocate [OPUC]
6. Two CCs to GP FOR TRANSPORT, High Court for the State of Telangana, at Hyderabad. [OUT]
7. Two CD Copies

PSK.
TKS

CC TODAY

HIGH COURT

DATED: 17/04/2026



ORDER
WP.No.11633 of 2026

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

10 copies
Kg
30/4/26