



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3331]

MONDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 4397/2026

Between:

1. THOTA CHATURVEDI,, S/O. RANGANADHA RAO AGED 36 YEARS,
OCC BUSINESS R/O. D. NO. 20/448, AMMULUGARI ROAD,
CHILAKALAPUDI, MACHILIPATNAM, KRISHNA DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL
SECRETARY, TRANSPORT, ROADS AND BUILDINGS
DEPARTMENT, SECRETARIAT, AMARAVATHI, GUNTUR DISTRICT-
522238
2. THE DEPUTY TRANSPORT COMMISSIONER, MACHILIPATNAM,
KRISHNA DISTRICT-521001
3. THE REGIONAL TRANSPORT OFFICER, MACHILIPATNAM,
KRISHNA DISTRICT-521001
4. THE MOTOR VEHICLES INSPECTOR, MACHILIPATNAM, KRISHNA
DISTRICT-521001

...RESPONDENT(S):

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 a Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in seizing the petitioner vehicle bearing registration No. AR 01 T 9459, under the vehicle check report dated. 19.01.2026 vide Challan No.AP204362260119233646 and demanding for payment of tax and penalty for release of the said vehicle, as highly illegal, arbitrary, contrary to law, improper and violation of principles of natural justice apart from violate of article 14, 19 (1) (g) and 21 of the

Constitution of India and consequently direct the respondents to release the said vehicle

IA 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 to direct the 2nd respondent to release the petitioner's vehicle bearing registration No. AR 01 T 9459 forthwith, pending disposal of main writ petition

Counsel for the Petitioner:

1.THOKA DEVA DEEPAK ANIRUDH YADAV

Counsel for the Respondent(S):

1.GP FOR TRANSPORT

The Court made the following:

::ORDER ::

The above writ petition is filed to declare the action of the 2nd respondent in insisting that the petitioner pay the tax and penalty of Rs. 2,83,000/- as a condition for the release of the vehicle bearing No.AR01T 9459 seized vide Challan No.AP204362260119233646 dated 19.01.2026, as illegal and arbitrary.

2. Heard Sri T. Deva Deepak Anirudh Yadav, learned counsel for the petitioner and Sri Abdul Rasheed, learned Assistant Government Pleader for Transport for the respondents.

3. Learned counsel for the petitioner would submit that without conducting an inquiry, in pursuance of the seizure of the vehicle, a challan was issued directing the petitioner to pay an amount of Rs.2,83,000/-, including penalty and other fines.

4. Learned Assistant Government Pleader for Transport would submit that the infringements were noted in Ex.P1-Challan.

5. The Division Bench of the composite High Court in **Saleem Tours and Travels Vs. Joint Transport Commissioner and Secretary**¹ considered the aspect of seizure of the vehicle and consequential direction to release the vehicle. Following the Division Bench judgment, the learned Single Judge of this Court passed an order dated 22.02.2025 in W.P.No.4875 of 2025.

6. Learned counsel on either side would submit that the issue involved in this writ petition is squarely covered by the order dated 22.02.2025 in W.P.No.4875 of 2025.

7. Since the issue involved in the case at hand is squarely covered by the order dated 22.02.2025 in W.P.No.4875 of 2025, this Writ Petition is disposed of in terms of W.P.Nos.4875 of 2025 with the following conditions.

- i) The respondents shall release the vehicle bearing No.AR01T 9459 seized vide Challan No.AP204362260119233646 dated 19.01.2026 to the petitioner, on the condition of paying 50% of the tax, along with the compound fees as on today, and on producing a demand draft or receipt acknowledging the payment.
- ii) The petitioner shall submit an undertaking to the effect that the subject vehicle will be produced as and when required for inquiry and that the same would not be alienated pending inquiry.
- iii) No order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE SUBBA REDDY SATTI

Date: 16.02.2026
TVN

¹ 2000 (4) ALD 501

97

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 4397 of 2026

Date: 16.02.2026
TVN