

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

**TUESDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

PRESENT

HON'BLE SRI JUSTICE SUBBA REDDY SATTI



WRIT PETITION NO: 6783 OF 2025

Between:

Meghana Travels, Represented by I. Ramesh Reddy, S/o. Bala Venkat Reddy, Aged about 32 Years, Occ Business, R/o. Mr Techu Tayumodel Village, PO/ PS Papum Pare Arunachal Pradesh -791109.

...PETITIONER

AND

1. The State of Andhra Pradesh, rep by its Principal Secretary, Transport Roads and Buildings Department A.P. Secretariat Buildings, Thullur Mandal, Amaravathi, Guntur District
2. The District Transport Officer, Regional Transport Authority, Rayachoti, Annamyya District, Andhra Pradesh State
3. The Motor Vehicles Inspector, Transport Department, Rajempet, Annamyya District, Andhra Pradesh State.

...RESPONDENTS

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in insisting to pay the tax and penalty as the condition for release of the vehicle of the Petitioners bearing No. AR01T2277 seized on 04.03.2025 by issuing Challan No. AP204264250304091715 demanding tax and penalty of Rs. 4,32,000/- and also compounding fee of Rs. 10,000/- as



illegal, arbitrary and contrary to law and consequently direct the 2nd respondent to release the vehicle of the petitioner forthwith.

IA NO: 1 OF 2025

Petition under Section 151 CPC is filed 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 vehicle of the Petitioners bearing No. AR01T2277 seized on 04.03.2025 by issuing Challan No. AP204264250304091715 seized by the 3rd respondent forthwith to the petitioner pending disposal of the above writ petition.

Counsel for the Petitioner: SRI B SIVARAMAKRISHNAIAH

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following: ORDER



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

[3331]

TUESDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 6783/2025

Between:

Meghana Travels,

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. B SIVARAMAKRISHNAIAH

Counsel for the Respondent(S):

1.

2. 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 the petitioner's payment of the tax and penalty as the condition to release the vehicle bearing No.AR01T2277 seized on 04.03.2025 vide Ex.P.1-vehicle check report, as illegal and arbitrary.

2. Heard Sri B.Sivaramakrishnaiah, 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.4,32,000/- including the fine amount of Rs.10,000/-.

4. Learned Assistant Government Pleader for Transport would submit that the infringements were noted in Ex.P.1-vehicle check report.

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. Copy of the said order is filed as Ex.P.6.

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.AR01T2277 seized on 04.03.2025 vide Ex.P.1-vehicle check report to the petitioner on condition of paying 50% of the tax along with the compound fees as on today and on producing 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.

Miscellaneous petitions pending, if any, shall stand closed.

¹ 2000 (4) ALD 501

//TRUE COPY//

Sd/- A. VIJAYA BABU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary. Transport Roads and Buildings Department
A.P. Secretariat Buildings, Thullur Mandal, Amaravathi, Guntur District

- 
2. The District Transport Officer, Regional Transport Authority, Rayachoti, Annamyya District, Andhra Pradesh State
 3. The Motor Vehicles Inspector, Rajempet, Annamyya District, Andhra Pradesh State.
 4. One CC to Sri B Sivaramakrishnaiah Advocate [OPUC]
 5. Two CCs to GP for Transport, High Court of Andhra Pradesh. [OUT]
 6. Three CD Copies

(Along with a copy of order dt. 22.02.2025 in WP No.4875 of 2025)

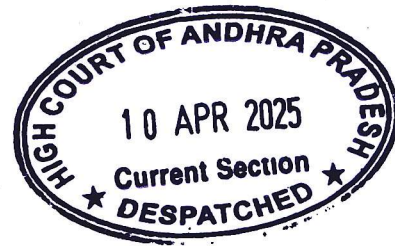
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HIGH COURT

DATED:18/03/2025

ORDER

WP.No.6783 of 2025



DISPOSING OF THE W.P., WITHOUT COSTS

APHC010093902025



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

[3329]

**TUESDAY, THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 4875/2025

Between:

Tirumala Cabs

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.B SIVARAMAKRISHNAIAH

Counsel for the Respondent(S):

1.GP FOR TRANSPORT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

ORDER:

This writ petition is filed under Article 226 of the Constitution of the India seeking the following reliefs:-

“to Issue a writ or order or direction more particularly one in the nature of a Writ of Mandamus declaring the action of the 2nd respondent in insisting to pay the tax and penalty as the condition for release of the vehicle of the Petitioners 18.01.2025 by the 3rd respondent by bearing No.NL 01B 2974 seized by issuing Challan No.AP203590250116213018 demanding tax and fine as illegal arbitrary and contrary to law and consequently direct the respondents release the vehicle of the petitioner forthwith and pass such other order.”

2. Heard the learned counsel for the petitioner and learned Government Pleader for Transport appearing for respondent Nos.1 to 3.
3. Having heard the respective counsels and upon perusal of the material available on record, it is an admitted fact that the petitioner is plying the vehicle without having valid tax payment and without permit, as such the 3rd respondent seized the vehicle under the cover of vehicle check report dated 16.01.2025.
4. However, considering the facts and circumstances of the case and in the light of the law laid down by the Division Bench of this Court in a decision reported in ***Saleem Tours and Travels vs. Joint Transport Commissioner and Secretary***¹ in our considered opinion, it is appropriate and reasonable to direct the respondent authorities to release

¹ 2000 (4) ALD 501 = 2000 (4) ALT 4+68

the seized vehicle in favour of the petitioner on imposing certain condition, to protect the interest of the respondents, pending the enquiry.

5. Accordingly, the Writ Petition is disposed of with the following directions:

- i) The Respondents shall release the vehicle bearing No.NL 01 B 2974 seized pursuant to the Vehicle Check report dated 16.01.2025 to the petitioner on condition of paying 50% of the tax along with the compound fees as on today and on producing 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 enquiry and that the same would not be alienated pending enquiry.

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

VENKATESWARLU NIMMAGADDA, J

Date: 25.02.2025

Note: Issued C.C. by 28.02.2025

B/o
M K K