

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

MONDAY, THE TWENTY NINTH DAY OF JUNE,
TWO THOUSAND AND TWENTY SIX



:PRESENT:

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION NO: 26423 OF 2021

Between:

Choppara Venkateswara Rao, S/o. Narasimha Rao, aged 38 years,
Occ: Advocate, R/o. 30-4-19/2, Karmikapuram, Vijayawada, Krishna
District.

Petitioner

AND

1. State of Andhra Pradesh, Rep by its Principal Secretary, Department of Home, Secretariat, Velagapudi, Guntur District.
2. The Station House Officer, Mangalagiri Rural Police Station, Mangalagiri, Guntur District.
3. The Sub-Inspector, Mangalagiri Rural Police Station, Guntur District.

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 writ or order of direction more so in the nature of Writ of Mandamus, declaring the action of the 3rd Respondent in issuing E-Challan No. AP21110267940001 dated 02-11-2021 in respect of the petitioner's vehicle bearing registration No. AP 39 JV 4929 as illegal, arbitrary, unconstitutional and contrary to the provisions of Central Motor Vehicle Rules, 1989 issued under the Motor Vehicles Act, 1988 and consequently set-aside the same;

IA NO: 1 OF 2021

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 Respondents not to take any coercive steps pursuant to the E-Challan No. AP21110267940001 dated 02-11-2021 in respect of the petitioner's vehicle bearing registration No. AP 39 JV 4929 pending disposal of the above writ petition;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier orders of the High Court dated: 12.11.2021 & 15.06.2026 made herein and upon hearing the arguments of Sri P BADRINATH, Advocate for the Petitioner and of GP FOR HOME for the Respondents;

The Court made the following ORDER:

Heard, Sri. P. Ravi Teja learned counsel representing Sri. P. Badrinath, learned counsel for petitioner and learned Assistant Public Prosecutor for the State.

On 12.11.2021, this Court passed an interim order, directing the respondents not to take any coercive steps in pursuance of the e-challan, dated 02.11.2021.

The Writ Petition is filed by way of Writ of Mandamus, declaring the action of the 3rd respondent in issuing e-challan dated 02.11.2021 in respect of petitioner's vehicle as illegal, arbitrary, unconstitutional and contrary to the provisions of Central Motor Vehicle Rules, 1989 issued under the Motor Vehicles Act, 1988.

The pleadings of the Writ Petition disclose that the very Rules issued under the Central Motor Vehicle Rules, 1989, particularly, Rule 167 (a) of the Central Motor Vehicle Rules, 1989, as introduced by the amendment published in 2021, is under challenge and the petitioner

would specifically contend that the device used by the respondents is in consonance with the requirements prescribed under the said Rule.

The matter underwent several adjournments for the counters of the respondent Nos.2 and 3 and till date there is no response from the respondents.

On 15.06.2026, this Court directed that, if the counters are not filed by the next date of hearing, the filing of the counters would be forfeited.

Since the issue which is involved in the Writ Petition is under Rule 167(a) of Central Motor Vehicle Rules, 1989, it is necessary for the respondents to file counters as to the legality of the e-challan, dated 12.11.2021.

As final opportunity, the matter is adjourned to 06.07.2026, failing which, the respondent Nos.2 and 3 should be present.

SD/- S.SHYAMALA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Department of Home, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District. (by SPECIAL MESSENGER)
2. The Station House Officer, Mangalagiri Rural Police Station, Mangalagiri, Guntur District.
3. The Sub-Inspector, Mangalagiri Rural Police Station, Guntur District. (Addressee Nos. 2 & 3 BY SPEED POST)
4. One CC to Sri. P BADRINATH, Advocate [OPUC]
5. Two CCs to GP FOR HOME, High Court Of Andhra Pradesh. [OUT]
6. One spare copy

HIGH COURT

GTK, J

DATED:29/06/2026

ORDER

THE MATTER IS ADJOURNED TO 06.07.2026

WP.No.26423 of 2021



DIRECTION