



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

[3329]

THURSDAY, THE SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 8701/2026

Between:

1. J PRAKASH, S/O. KAMAIAH AGED 48 YEARS, OCC BUSINESS R/O.
5TH LANE, LAKSHMI NARASIMHA COLONY, MANGALAGIRI, GUNTUR
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, NARASARAOPET,
PAINADU DISTRICT-522549

3. THE REGIONAL TRANSPORT OFFICER, NARASARAOPET, PAINADU
DISTRICT-522601

4. THE MOTOR VEHICLES INSPECTOR, NARASARAOPET, PAINADU
DISTRICT -522601

...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. DD 01 R 9855, under the online vehicle challan dated. 09.02.2026 vide Challan No. AP258773260209194247 and demanding for payment of tax and penalty along with other compounding fee 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 and pass

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 may be pleased to direct the 2nd respondent to release the petitioner's vehicle bearing registration No. DD 01 R 9855 forthwith, pending disposal of main writ petition and pass

Counsel for the Petitioner:

1.MANIKANTA THOTA

Counsel for the Respondent(S):

1.GP FOR TRANSPORT

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 8701 of 2026

ORDER

Heard learned counsel for the petitioner and the learned Government Pleader for Transport and perused the material available on record.

2) 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 respondent No.4 seized the vehicle on 09.02.2026.

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

4) Accordingly, the writ petition is ***disposed of***, with the following directions:

(i) The Respondents shall release the vehicle bearing No.DD 01 R 9855 seized on 09.02.2026 to the petitioner on condition of paying 50% of the tax along with compound fees as on today and on producing demand draft or receipt acknowledging the payment.

¹ 2000(4) ALD 501 = 2000 (4) ALT 468

(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.

5) There shall be no order as to costs.

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

VENKATESWARLU NIMMAGADDA, J

02.04.2026

Note:C.C. by 04.04.2026

(B/o)

M K K

WRIT PETITION NO:8701 of 2026

02.04.2026

Note:C.C. by 04.04.2026

B/o
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