

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

MONDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 5547 OF 2026

Between:

Shahnawaz Ali Khan, S/o. Mubarak Ali Khan, Aged about 35 years, Occ .
Business, R/o. 19-5-31/13/2, Kishan Bagh, Bahadurpura, Hyderabad

...PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary, Transport Department Secretariat Buildings, Hyderabad.
2. The District Transport Officer, Office of the Regional Transport Authority, RTA- R.R District.
3. The Assistant Motor Vehicle Inspector, Code.6234, RTA- R.R District.

...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 3rd respondent in seizing the vehicle vide Order No. 383741, dated. 23.11.2025 in contrary to the Motor Vehicles Taxation Act 1963 as illegal, arbitrary and unjust and consequently direct the and respondent to release the vehicle of the petitioner vide number TG12T5220, which is seized by order vide. No. 383741, dated. 23.11.2025 upon collection of 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 to direct the 3rd respondent to release the vehicle of the petitioner vide number TG12T5220, which is seized by order vide. No. 383741, dated. 23.11.2025 pending disposal of the writ petition.

Counsel for the Petitioner: SRI B.SATHISH

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HON'BLE MRS. JUSTICE SUREPALLI NANDA

WRIT PETITION No.5547 OF 2026

DATED : 02.03.2026

Between:

Shahnawaz Ali Khan,
S/o. Mubarak Ali Khan.

... Petitioner

AND

1. The State of Telangana,
Rep., by its Principal Secretary,
Transport Department,
Secretariat Building, Hyderabad.
2. The District Transport Officer,
Office of the Regional Transport Authority,
RTA-R.R. District.
3. The Assistant Motor Vehicle Inspector,
Code:6234,
RTA-R.R. District.

...Respondents

:: ORDER ::

**Heard Sri B. Sathish, learned counsel appearing
on behalf of the petitioner and learned Assistant
Government Pleader for Transport appearing on
behalf of 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 3rd respondent in seizing the vehicle vide Order No.383741, dated 23.11.2025 in contrary to the Motor Vehicles Taxation Act 1963 as illegal, arbitrary and unjust and consequently direct the and respondents to release the vehicle of the petitioner vide number TG12T5220, which is seized by order vide No. 383741, dated 23.11.2025 upon collection of 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:

i) The present writ petition is filed aggrieved by the action of respondent No.3 in seizing the vehicle vide Order No.383741, dated 23.11.2025, in contravention of the Motor Vehicles Taxation Act, 1963.

ii) The petitioner is the owner of Goods carriage vehicle – Heavy Motor Vehicle (HMV) bearing Registration No.TG12T5220. On 23.11.2025 at 10.45 AM, while the vehicle was travelling from Shadnagar to Hyderabad

transporting stones, the driver acting entirely without the petitioner's knowledge, consent, or instructions overloaded it with excess stones to earn additional personal income. During transit, the vehicle was intercepted and checked by the respondent No.3, who seized it under Vehicle Check Report No.383741 dated 23.11.2025.

iii) The petitioner is willing and ready to pay the applicable compounding fee under Section 200(1) of the Motor Vehicles Act and other applicable provisions.

4. PERUSED THE RECORD :-

DISCUSSION AND CONCLUSION :-

5. Learned counsel appearing on behalf of the petitioner mainly puts-forth the following submissions :-

(i) As per the Section 8 of the Telangana Motor Vehicles Taxation Act, 1963, and Rule 52 of the Telangana Motor Vehicles Rules, 1989, there is a provision for release of the vehicles seized for

offences upon collection of the applicable compounding amount as prescribed under the Act and the Rules made thereunder i.e., Telangana Motor Vehicles Rules, 1989.

(ii) The petitioner is ready and willing to pay the applicable compounding fee under Section 200(1) of the Motor Vehicles Act and other applicable provisions.

(iii) Since compounding is statutorily permissible for overloading violations, the petitioner is entitled for grant of release of the vehicle of the petitioner seized by respondent No.3, vide Order No.383741, dated 23.11.2025. The subject vehicle i.e., the Goods carriage vehicle (Heavy Motor Vehicle) bearing Registration No.TG12T5220 is the only source of livelihood to the petitioner and petitioner's family, so the vehicle must be released at the earliest.

(iv) Respondent No.3 is bound to consider the request of the petitioner for release of the vehicle of

the petitioner i.e., Goods carriage vehicle (Heavy Motor Vehicle) bearing Registration No.TG12T5220, which had been seized by respondent No.3 *vide* Order No.383741, dated 23.11.2025, upon collection of the applicable compounding amount as prescribed under Section 200(1) of the Motor Vehicles Act.

Based on the aforesaid submissions, learned counsel appearing on behalf of the petitioner contends that the petitioner is entitled for the relief as prayed for, in the present Writ Petition.

6. Learned Assistant Government Pleader for Transport appearing on behalf of the respondents does not dispute the said submissions made by the learned counsel appearing on behalf of the petitioner.

The Writ Petition is disposed of, directing respondent No.3 to consider the request of the petitioner for release of the goods carriage vehicle (Heavy Motor Vehicle) bearing Registration No.TG12T5220, which was seized by respondent No.3

vide Vehicle Check Report No.383741 dated 23.11.2025, in accordance with law upon collection of the applicable compounding amount as prescribed under Section 200(1) of the Motor Vehicles Act, 1989, within a period of two (02) weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

//TRUE COPY//

SD/-MOHD.ISMAIL
DEPUTY REGISTRAR

SECTION OFFICER

To

1. The Principal Secretary, Transport Department Secretariat at Buildings, Hyderabad, State of Telangana.
2. The District Transport Officer, Office of the Regional Transport Authority, RTA-R.R District.
3. The Assistant Motor Vehicle Inspector, Code.6234, RTA R.R District.
4. One CC to SRI B.SATHISH, Advocate [OPUC]
5. Two CCs to GP FOR TRANSPORT, High Court for the State of Telangana, at Hyderabad. [OUT]
6. Two CD Copies

PSK.
BS

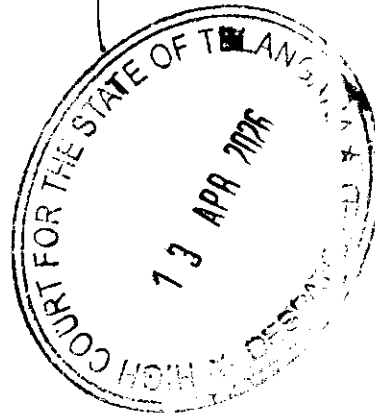
Jks

CC TODAY

HIGH COURT

DATED: 02/03/2026

ORDER
WP.No.5547 of 2026



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(9) — JKS
13/4/26.