

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

MONDAY, THE THIRTIETH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY FOUR

**PRESENT**

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE  
AND  
THE HON'BLE SRI JUSTICE J SREENIVAS RAO**

**WRIT PETITION NO: 27827 OF 2014**

**Between:**

1. M/s.Sharma Transport rep.by Suresh Kumar Sharma, No.328, Sangeetha Bhavan,TSP Road, Kalasipalyam, Bangalore, Karnataka State.
2. Syed Sayeed Ahmed, S/o.Abdul Azeez, Aged about 52 years, No.32, 8th Cross, Wilson Garden, Hosur Main Road, Bangalore, Karnataka State.
3. Feroz Khan, S/o.Omer Khan, Aged about 34 years, No.30, Old Dispensary Road, Kalasipalyam, Bangalore, Karnataka State.
4. Imran Khan, S/o.Omer Khan, Aged about 29 years, No.30, Old Dispensary Road, Kalasipalyam, Bangalore, Karnataka State.
5. Diwakar Road Lines rep.by J.C.Uma Reddy, Aged about 49 years, No.24, Ananth Arcade Complex, A.V.Road, Kalasipalyam, Bangalore, Karnataka State.

**...PETITIONERS**

**AND**

1. State of Telangana, Represented by the Principal Secretary, Transport, Roads and Buildings (TR-I) Department. Secretariat, Hyderabad.
2. The Transport Commissioner, State of Telangana, Hyderabad.
3. State of Andhra Pradesh, Represented by the Principal Secretary, Transport, Roads and Buildings (TR-I) Department, Secretariat, Hyderabad.
4. The Transport Commissioner, State of Andhra Pradesh, Hyderabad.
5. The Motor Vehicles Inspector, Transport Department Checkpost, Penukonda, Ananthapur Dist. A.P.State.
6. The Motor Vehicles Inspector, Transport Department Checkpost, Panchalingala, Kurnool Dist. A.P. State.
7. The Motor Vehicles Inspector, Flying Squad, Ananthapur, A.P.State.
8. The Motor Vehicles Inspector, Shapur CP, R.R Dist., Telangana State.
9. The Motor Vehicles Inspector, Zaheerabad CP, Medak Dist., Telangana State.

## ...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 a writ, in the nature of writ of Mandamus or any other appropriate writ, direction or order declaring the action of the respondents in once again collecting quarterly tax for Q.E.30.09.2014 in respect of vehicle bearing Nos. KA01 AA 0679, KA01 AA 7317, KA01D 8496 of the 1<sup>st</sup> petitioner, tourist vehicles bearing Nos. KA05 AC 7177, NL 01B 0897, NL 01B 0879 of the 2<sup>nd</sup> petitioner, tourist vehicle bearing Nos. KA01 AC 3601, KA01 AC 3602, of the 3<sup>rd</sup> petitioner, as illegal and void and contrary to G.O.Ms.No.43 Dt.01.06.2014 and direct the respondents and their officials not to collect or insist upon the petitioners to pay the quarterly tax in respect of petitioners All India Tourist vehicles if the quarterly tax is paid to either of the Telangana or Andhra Pradesh State up to 31.03.2015 and direct the respondents either to refund the tax or adjust the same for next quarter.

### **I.A. NO: 2 OF 2014(WPMP. NO: 34845 OF 2014)**

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 respondents and their officials not to collect or insist upon the petitioners to pay the quarterly tax in respect of petitioner's All India Tourist vehicles bearing Registration Nos. KA01 AA 0679, KA01 AA 7317, KA01D 8496 of the 1<sup>st</sup> petitioner, tourist vehicles bearing Nos. KA01 AA 4627, KA05 AC 7177, NL 01B 0897, NL 01B 0879 of the 2<sup>nd</sup> petitioner, tourist vehicle bearing Nos. KA01 AC 3601, KA01 AC 3721, KA01 AC 3722, KA01 AC 3602, KA01 AC 4106 of the 3<sup>rd</sup> petitioner, tourist vehicle bearing No.KA 01AC 4105 of the 4<sup>th</sup>

petitioner, tourist vehicle bearing No.AP02 TA 1539, AP02 TA 1629 of the 5<sup>th</sup> petitioner, if the quarterly tax is paid to either of the Telangana or Andhra Pradesh States up to 31.03.2015 pending disposal of the Writ Petition.

**I.A. NO: 1 OF 2014(WVMP. NO: 3509 OF 2014)**

**Between:**

1. State of Telangana, Rep. by the Principal Secretary to Govt., Transport, Roads and Buildings (TR-I) Department, Secretariat, Hyderabad.
2. The Transport Commissioner, State of Telangana, Hyderabad.
3. The Motor Vehicles Inspector, Shapur CP, Ranga Reddy Dist.
4. The Motor Vehicles Inspector, Zaheerabad CP, Medak Dist., Telangana State.

**....PETITIONERS/RESPONDENTS**

**AND**

1. M/s.Sharma Transport rep.by Suresh Kumar Sharma, No.328, Sangeetha Bhavan, TSP Road, Kalasapalyam, Bangalore, Karnataka State.
2. Syed Sayeed Ahmed, S/o.Abdul Azeez, No.32, 8<sup>th</sup> Cross, Wilson Garden, Hosur Main Road, Bangalore, Karnataka State.
3. Feroz Khan, S/o.Omer Khan, Old Dispensary Road, Kalasipalyam, Bangalore, Karnataka State.
4. Imran Khan, S/o.Omer Khan, No.30, Old Dispensary Road, Kalasipalyam, Bangalore, Karnataka State.
5. Diwakar Road Lines Rep. by J.C. Uma Reddy, Ananth Arcade Complex, A.V.Road, Kalasipalyam, Bangalore, Karnataka State.

**...RESPONDENTS/PETITIONERS**

6. State of Andhra Pradesh, Rep. by the Principal Secretary, Transport, Roads and Buildings (TR-I) Department, Secretariat, Hyderabad.
7. The Transport Commissioner, State of Andhra Pradesh, Hyderabad.
8. The Motor Vehicle Inspector, Transport Department Check Post, Penukonda, Anantapur Dist. A.P.State.
9. The Motor Vehicle Inspector, Transport Department Check Post, Panchalingala, Kurnool, Kurnool Dist. A.P. State.
10. The Motor Vehicles Inspector, Flying Squad, Ananthapur, A.P.State.

(Respondent No.6 to 10 are not necessary parties).

**...RESPONDENTS/RESPONDENTS**

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 vacate the interim orders passed in W.P.M.P.No.34845/2014 in W.P.No.27827/2014 on 18.09.2014.

**Counsel for the Petitioners: SRI B. SIVA RAMA KRISHNAIAH**

**Counsel for the Respondents No.1, 2, 8 & 9: GP FOR TRANSPORT (TG)**

**Counsel for the Respondents No.3 to 7: GP FOR TRANSPORT (AP)**

**The Court made the following: ORDER**

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE**  
**AND**  
**THE HON'BLE SRI JUSTICE J.SREENIVAS RAO**

**WRIT PETITION No.27827 of 2014**

**ORDER:** *(Per the Hon'ble the Chief Justice Alok Aradhe)*

Mr. B. Siva Rama Krishnaiah, learned counsel for the petitioners submits that the cause in the writ petition does not survive for consideration on account of efflux of time.

The writ petition is therefore dismissed as infructuous.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

Sd/- P. CH. NAGABHUSHAMBA  
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI B. SIVA RAMA KRISHNAIAH, Advocate [OPUC]
2. Two CCs to GP for Transport (TG), High Court for the State of Telangana at Hyderabad [OUT]
3. Two CCs to GP for Transport (AP), High Court for the State of Andhra Pradesh, Amaravati, Guntur District. [OUT]
4. Two CD Copies

MP *s*

**HIGH COURT**

**DATED:30/09/2024**



**ORDER**

**WP.No.27827 of 2014**

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copies  
23/10/2024*

**DISMISSING THE WRIT PETITION  
AS INFRACTUOUS  
WITHOUT COSTS**