

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

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

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

WRIT PETITION NO: 22316 OF 2013

Between:

1. Khaja Mahmooduddin, S/o. Kaja Fareeduddin, aged about 39 years R/o. 11-5-293, Flat No.201, Amulya Avenue Red Hills, Hyderabad (Vehicle Nos. AP-07-TB-9649 and AP-07-TB-9647)
2. Venkata Laxmi Mulupari, W/o. Srinivasa Rao, aged about 32 years R/o. Door No.4-68/50, Sathram Padu Eluru, West Godavari District (Vehicle Nos. AP-16-TV-3455 and AP-16-TV-3466)
3. Y. Suresh Babu, S/o. Y. Satyanarayana, aged about 40 years R/o. Nandigama, Krishna District (Vehicle Nos. AP-03-X-7007 and AP-16-TY-4005)

...PETITIONERS

AND

1. The Government of Andhra Pradesh, Rep. by its Principal Secretary, Transport Roads and Buildings (TR-I Department) Secretariat, Hyderabad
2. The Joint Transport Commissioner & Secretary, Regional Transport Authority, Hyderabad Khairatabad, Hyderabad
3. The Deputy Transport Commissioner & Secretary, Regional Transport Authority, Eluru West Godavari District
4. The Secretary, Regional Transport Authority, Nandigama Krishna 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 a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring G.O.Ms.No.21, Transport, Roads and Buildings (TR-i) Department, dated 08.03.2013 in so far as it relates to the State Wide (Intra-State Routes) permits in item 4 (v) (a) levying tax of Rs.3750/- per passenger per

quarter in respect of the petitioners contract carriage vehicle as illegal and void and grant such other necessary relief.

I.A. NO: 1 OF 2013(WPMP. NO: 27365 OF 2013)

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 suspend the operation of G.O.Ms.No.21, Transport. Roads & Buildings (TR-I) Department, dated 08.03.2012 in so far as it relates to the State Wide (Intra State Routes) permits in Item 4 (v) (a) levying a tax of Rs.3,750/- per passenger per quarter on the petitioners contract carriage vehicles, pending disposal of the above main writ petition

Counsel for the Petitioners: SRI. B. CHANDRA SHEKHAR

**Counsel for the Respondents: SRI MOHAMMED IMRAN KHAN, LEARNED
ADDITIONAL ADVOCATE GENERAL REPRESENTS FOR SRI S. VIVEK,
AGP FOR TRANSPORT**

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.22316 of 2013

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

None for the petitioners.

Mr. Mohammed Imran Khan, learned Additional Advocate General represents Mr. S. Vivek, learned Assistant Government Pleader for Transport for respondents.

In this writ petition, the petitioners have assailed the validity of G.O.Ms.No.21, Transport, Roads and Buildings (TR.I) Department, dated 08.03.2013.

Learned Additional Advocate General, on instructions, submits that the aforesaid Government Order has been superseded vide G.O.Ms.No.21, dated 07.05.2022. It is also submitted that the issue involved in this writ petition does not survive for consideration.

In view of the aforesaid submission, the writ petition is dismissed as infructuous.

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

**SD/-K.VENKAIAH
ASSISTANT REGISTRAR**

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SECTION OFFICER

To,

1. One CC to Sri B. Chandra Shekhar, Advocate [OPUC]
2. Two CCs to GP for Transport, High Court for the State of Telangana, at Hyderabad [OUT]
3. Two CD Copies

T J
BSK

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HIGH COURT

DATED:02/09/2024

ORDER

WP.No.22316 of 2013



DISMISSING THE WRIT PETITION AS
INFRACTUOUS

WITHOUT COSTS.

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