

**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: 14127 OF 2013

Between:

1. NCM Tours and Travels, Represented by its Managing Partner N.Jitendra, S/o Sri N.Chandramouli, Aged 36 years, Hindu, Occ Business, R/o D.No.2-64/1, Suraram IDA, Jeedimetla, Quthbullapur, Ranga Reddy District. Vehicle R.No.AP-28-TA-9434, AP-28-Y-6599, AP-28-Y-6499, KA-538510, KA-538511, AP-28-TA-9431.
2. Chennupati Ashok Kumar S/o Hari Babu, Occ Bus Owner, R/o D.No.20-6-80, Anjaiah Road, Ongole, Prakasam District. Vehicle R.No.AP-27-X-9639, AP-27-TU-7555, AP-27-TU-9799, AP-27-TU-9779.
3. Ch.Srinivas S/o Venkateswarlu, Hindu, Occ Business, R/o Kurnool Road, Ongole, Prakasam District. Vehicle R.No. AP-27-Y-4333, AP-27-6-4222, AP-27-W-9333, AP-27-W-9222.
4. Ch.Vijaya Kumari W/o Srinivas, Hindu, Occ Bus Owner, R/o D.No.20-6-81, B.M. Anjaiah Road, Brundavan Nagar, Ongole, Prakasam District. Vehicle R.No. AP-27-X-2333, AP-27-X-3222
5. K.M.B.T. Bus Travels, Represented by its Proprietor K.Kaladhara Rao, S/o Late Sri Madhava Rao, Aged 48 years, Hindu, Occ Bus Owner, R/o D.No.33-1-29, Addanki Bus Stand, Ongole, Prakasam District. Vehicle R.No. AP-27-TT-7337, AP27-TT-7447, AP27-TT-7588, AP27-TT-7599, AP27-TU-4747, AP27-TU-4848, AP27-TU-5656, AP27-TU-5757.

...PETITIONERS

AND

1. The State of Andhra Pradesh, Represented by the Principal Secretary to Government, Transport, Roads and Buildings (TR.I) Department, A.P. Secretariat, Hyderabad.
2. The Transport Commissioner, Andhra Pradesh, Hyderabad.
3. The Deputy Transport Commissioner and Secretary, Regional Transport Authority, Office at Attapur, Ranga Reddy Central, Ranga Reddy District.
4. The Regional Transport Officer, Office of the Regional Transport Authority, Medchal, Ranga Reddy District.
5. The Deputy Transport Commissioner and Secretary, Regional Transport Authority, Nellore, Nellore District.
6. The Regional Transport Officer, Office of the Regional Transport Authority, Ongole, Prakasam 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 in the nature of a Writ of Mandamus or any other appropriate Writ, direction or order 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.3,750/- per passenger per quarter in respect of the petitioners contract carriage vehicles as illegal and void

I.A. NO: 1 OF 2013(WPMP. NO: 17238 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 08/03/2013 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 writ petition

Counsel for the Petitioner: SRI. RAJANIKANTH JWALA (NOT PRESENT)

**Counsel for the Respondents: SRI MOHAMMED IMRAN KHAN,
ADDITIONAL ADVOCATE GENERAL REP
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.14127 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/- V. KAVITHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI RAJANIKANTH JWALA, Advocate [OPUC]
2. Two CCs to GP for TRANSPORT, High Court for the State of Telangana at Hyderabad [OUT]
3. Two CD Copies

B M
MP

CHR

HIGH COURT

DATED:02/09/2024



ORDER

WP.No.14127 of 2013

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

⑥ CHAR
28/9/24