

THE HON'BLE Mr. JUSTICE N.V. RAMANA

WRIT PETITION No.22388 of 1996

Dated: September 12, 2005

Between:

Gundavarapu Seshaiyah,

S/o. Somaiah,

aged 40 years,

R/o. Masabtank,

Hyderabad.

... Petitioner

And

The Secretary and R.T.A, West Zone,

Hyderabad.

... Respondent

Order:

This writ petition is filed seeking Mandamus declaring that the respondent and his subordinates have no power or jurisdiction either for reduction of the gross vehicle weight or for insisting the petitioner to accept for reduction of the gross vehicle weight from 26400 Kgs. To 22000 Kgs. and consequently direct the respondent to receive the tax for the vehicle bearing No. AP 13 T 4656 without insisting the reduction of gross vehicle weight from 26400 Kgs. to 22000 Kgs.

2. When the matter has been taken up for hearing, it is submitted by the learned counsel for the petitioner and conceded by the learned Government Pleader for Transport that the subject matter of this writ petition is squarely covered by the judgment of the Apex Court in

N. Venkateswara Rao vs. S.T.A.¹, wherein the Apex Court elaborately considered the matter and dismissed the appeals.

3. In the circumstances, following the above judgment, this Writ Petition is also dismissed for the same and similar reasons. No costs.

N.V. RAMANA, J

September 12, 2005

MRR