

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

**MONDAY, THE FIFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

**:PRESENT:
THE HONOURABLE SRI JUSTICE K. SARATH**

WRIT PETITION NO: 21310 OF 2022

Between:

Potta Bikshapathi, S/o. Kattaiah, Business, R/o. H.No. 3-80, Kothulapuram,
Narayanapuram, Nalgonda District.

...Petitioner

AND

1. The Telangana State Road Transport Corporation, Rep. by its Managing Director, Bus Bhavan, Musheerabad, T.S.
2. The Regional Manager, TSRTC, Nalgonda Region, Nalgonda District, T.S.
3. The Depot Manager, Yadagirigutta Bus Depot, Yadadri-Bhongir District (earlier Nalgonda), T.S.

...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 or order or direction more particularly one in the nature of writ of mandamus declaring that the action of the 3rd respondent in recovering of Rs.2,02,000/- for petitioner bus bearing No. TS 30T 8749 on the ground of producing the bus with delay before respondent authority is bad, arbitrary and illegal and against to principles of natural justice by setting aside the office order dt.8-10-2021 of the 3rd respondent herein including circular dt.17-12-2019 of the 1st respondent herein and direct the respondents to repay the recovered amounts to the petitioner in concerned with the above said bus related to the above office order.

Counsel for the Petitioner: SRI. P VENKATESWAR RAO

**Counsel for the Respondent No.1 to 3: SRI GADDAM SRINIVAS (SC FOR
TSRTC)**

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SARATH

WRIT PETITION No.21310 of 2022

ORDER:

The petitioner seeking the following relief:

“...to issue any appropriate Writ, Order or Direction more particularly one in Nature of Writ of Mandamus declaring that the action of the respondent No.3 in recovering of Rs.2,02,000/- for each petitioner buses bearing Nos.TS 30T 8749 on the ground of producing the buses with delay before respondent authority is bad, arbitrary and illegal and against to principles of natural justice by setting aside the office orders dated 08.10.2021 of the respondent No.3 herein including circular dated 17.12.2019 of the respondent No.1 herein and direct the respondents to repay the recovered amounts to the petitioner in concerned with the above two buses related to the above office orders...”

2. Learned Counsel for the petitioner submitted that in identical matter, this Court allowed the Writ Petition in W.P.No.21609 of 2020 on 21.12.2020.

3. The Learned Standing Counsel appearing for the respondents fairly conceded that the aforementioned Writ Petition was allowed and against the said orders, the Respondent Corporation has filed Review Petition and the same is pending.

4. In view of the judgment passed by this Court in W.P.No.21609 of 2020 dated 21.12.2020, this Petition is also allowed by setting aside the impugned proceedings *vide*

No.E1/359(04)/2021-YGT dated 08.10.2021 by the respondent No.3 -the Depot Manager, Yadagirigutta Depot, imposing penalty of Rs.2,02,000/- for bus bearing Nos.TS-30T-8749 on hire basis as per the allotments letters and consequently the respondents are directed to permit the operation of the petitioner's hire buses TS-30T-8749 on hire basis by entering into agreement as per the allotment letter, without insisting for payment of penalty.

5. Accordingly this writ petition is allowed. No order as to costs.

6. Miscellaneous applications, if any pending, shall stand closed.

Sd/- K. SREERAMA MURTHY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Managing Director, Telangana State Road Transport Corporation, Bus Bhavan, Musheerabad, T.S.
2. The Regional Manager, TSRTC, Nalgonda Region, Nalgonda District, T.S.
3. The Depot Manager, Yadagirigutta Bus Depot, Yadadri-Bhongir District (earlier Nalgonda), T.S.
4. One CC to SRI. P VENKATESWAR RAO Advocate [OPUC]
5. One CC to SRI. GADDAM SRINIVAS (SC FOR TSRTC) [OPUC]
6. Two CD Copies

HIGH COURT

SK.J

DATED:05/12/2022



ORDER

WP.No.21310 of 2021

WRIT PETITION IS DISPOSED OF WITHOUT COST