

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

MONDAY, THE 19TH DAY OF OCTOBER 2015/27TH ASWINA, 1937

WP(C).No. 30364 of 2015 (U)

PETITIONER:

K.M.SALEEM, S.J.HOUSE,
ARASUPARAMBU, NEDUMANGAD,
THIRUVANANTHAPURAM.

BY ADV. SRI. BASANT BALAJI

RESPONDENTS:-

1. THE TRANSPORT COMMISSIONER,
TRANSPORT COMMISSIONERATE,
2ND FLOOR, TRANS TOWERS,
VAZHUTHACAUD, THYCAUD P.O.,
THIRUVANANTHAPURAM - 695 002.
2. THE REGIONAL TRANSPORT OFFICER,
REGIONAL TRANSPORT OFFICE,
THIRUVANANTHAPURAM - 695 001.
3. THE JOINT REGIONAL TRANSPORT OFFICER,
SUB REGIONAL TRANSPORT OFFICE,
NEDUMANGAD, THIRUVANANTHAPURAM - 695 593.

BY GOVERNMENT PLEADER SMT. K.A. SANJEETHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 TRUE COPY OF THE BILL OF ENTRY FOR HOME CONSUMPTION DATED 12.03.2015.
- EXHIBIT P2 TRUE COPY OF THE APPLICATION DATED 27.03.2015 SUBMITTED BY THE PETITIONER TO THE 3RD RESPONDENT.
- EXHIBIT P3 TRUE COPY OF THE LETTER DATED 04.08.2015 SENT BY THE 3RD RESPONDENT TO THE PETITIONER.
- EXHIBIT P4 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 30364 OF 2015

Dated this the 19th day of October, 2015

JUDGMENT

The application put in by the petitioner for securing the registration of a specially designed and imported vehicle has been returned by Ext.P3 order. The Government Pleader points out that the said application can be processed only if the petitioner complies with the second proviso to Rule 126 of the Central Motor Vehicles Rules.

2. The petitioner undertakes to comply with the said condition provided sufficient time is granted to obtain the certificate needed. The petitioner is free to apply with the statutory prescription aforequoted and resubmit the application for registration of the specially designed imported vehicle.

3. The Government Pleader also points out that the petitioner is obliged to produce a type approval certificate of an International Accredited Agency (notified by DGFT) from the country of origin. The type approval certificate should stipulate that the vehicle complies with all the regulations for the

WP(C) No. 30364/2015

complete vehicle.

4. The respondents shall register the vehicle produced by the petitioner subject to the satisfaction of the conditions aforestated. The needful shall be done within a period of one month after compliance by the petitioner.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd