

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P. NO. 13341 of 2015

M.Munusamy

... Petitioner

-vs-

1. The Secretary,
Regional Transport Authority,
RTO, Red Hills, Chennai 600 052.
2. The Assistant Registering Authority,
Regional Transport Authority,
RTO, Red Hills, Chennai 600 052.

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the respondents to renew the travel permit under Rules 83 and 87 of the Central Motor Vehicle Rules, 1989 for the TATA Ace Magic vehicle bearing Reg. No. TN 18 C 4811 from 1.6.2015 to 31.5.2020 and pass further orders.

For petitioner : Mr. G.Rajan

For respondent : Mr. A.Kumar
Special Government Pleader

ORDER

This Writ Petition has been filed by Mr.Munusamy, seeking for a direction to the respondents to renew the travel permit under Rules 83 and 87 of the Central Motor Vehicle Rules, 1989 for the TATA Ace Magic vehicle bearing Reg. No. TN 18 C 4811 from 1.6.2015 to 31.5.2020.

2. Mr.A.Kumar, learned Special Government Pleader takes notice for the respondents. With the consent of both the parties, the petition is taken up for disposal at the stage of admission itself.

3. Learned counsel appearing for the petitioner would submit that the petitioner being a driver, to eke out his livelihood was doing the job of a driver for the past three decades, finally purchased a TATA Ace Magic BS III bearing Engine No. MAT445112AVD29704 in the year 2010 for plying the same as travels vehicle, by investing his small savings and also availing a loan under hypothecation from the finance company and the said vehicle was registered by the respondent Transport Office. He has also applied for permit under Form No.47, Rule 83(2) and 87(2) of the Central Motor Vehicle rules. After due inspection of the vehicle, the respondent issued permit authorisation in Authorisation No.142/TN18/AUTH/2010 with seating capacity of 8 persons for the period from 01.06.2010 to 31.05.2011. He also paid all the taxes and charges including the life tax at the time of registration. The petitioner has also paid the first quarterly tax of Rs.1,905/- to the respondent by way of demand draft. But, the problem faced by the petitioner, as pleaded by learned counsel shows that due to some financial constraints and family problem, he was unable to follow up the matter. As a result, default in payment of tax has occurred. However, now the petitioner has come forward to clear the entire tax amount, for which he has also made an application. The said application may please be considered, though there may a delay on the side of the petitioner, he pleaded.

5. Since learned counsel appearing for the petitioner, today before this Court, has agreed to clear all the dues, this Court deems it fit to direct the respondents, to renew the travel permit on receipt of all dues payable by the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

6. Accordingly, the Writ Petition is allowed. No order as to costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//सत्यमेव जयते

Sub Assistant Registrar

WEB COPY

avr/srn

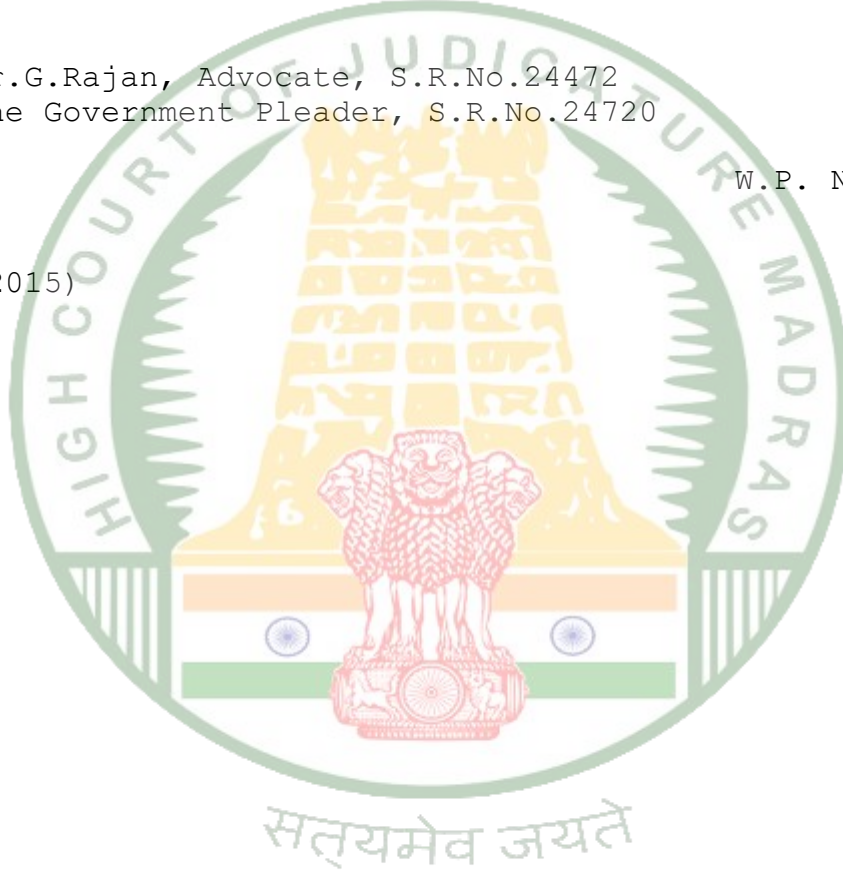
To

1. The Secretary,
Regional Transport Authority,
RTO, Red Hills,
Chennai 600 052.
2. The Assistant Registering Authority,
Regional Transport Authority,
RTO, Red Hills,
Chennai 600 052.

+1cc to Mr.G.Rajan, Advocate, S.R.No.24472
+1cc to the Government Pleader, S.R.No.24720

W.P. NO. 13341 of 2015

TEJ(CO)
CA(26/05/2015)



WEB COPY