

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.19204 of 2015

K.Anandhan

... Petitioner

Vs.

The Secretary,  
Regional Transport Authority,  
Chengalpattu

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking for the relief of issuance of writ of mandamus to direct the respondent herein to consider and pass orders on the petitioner's application dated 3.3.2015 for the renewal of Contract Carriage Maxi Cab Permit in respect of Vehicle No.TN-19/A-4665, forthwith.

For Petitioner : Mr.K.Hariharan

For Respondents : Mr. A.Kumar,  
Special Government Pleader

ORDER

This writ petition has been filed by Mr.K.Anandan under Article 226 of the Constitution of India seeking mandamus directing the Secretary, Regional Transport Authority, Chengalpattu to consider and pass orders on his application dated 3.3.2015 for renewal of his contract carriage Maxi Cab permit in respect of vehicle No.TN-19/A-4665.

2. Mr.A.Kumar, learned Special Government Pleader takes notice for respondent.

3. The petitioner is a driver cum owner of Maxi Cab bearing Registration No.TN-19/A-4665 covered by a contract carriage permit issued by the respondent, which was valid upto 31.1.2015. While so, as per Section 81 of the Motor Vehicles Act, 1988, the application for renewal of permit has to be made within fifteen days prior to the expiry of the permit and the Transport Authority has got power to condone the delay. In the present case, the petitioner, due to his

illness, could not make out application for renewal of permit in time. As the permit was valid upto 31.1.2015, it appears the petitioner applied for renewal of permit on 3.3.2015 by producing medical certificate to show that he was unwell due to his sickness and he was unable to make the application in time. On that basis, the petitioner requested to renew the permit. Subsequently, the respondent has also received the application of the petitioner, but till date, his renewal application for grant of the permit has not been considered.

4. The medical certificate dated 5.2.2015 shows that the petitioner was suffering from fever for which he was advised to take rest and treatment for 21 days i.e., from 15.1.2015 till 5.2.2015. A perusal of the medical certificate dated 5.2.2015 shows that the petitioner was suffering from illness and hence, he was unable to move application before 15 days before the expiry of the permit.

5. Therefore, the writ petition is disposed of directing the respondent to consider the application of the petitioner dated 3.3.2015 for renewal of contract carriage Maxi Cab Permit in respect of his vehicle bearing No.TN-19/A -4665 on payment of usual charges within a period of two weeks from the date of receipt of copy of this order. However, there is no order as to costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

The Secretary,  
Regional Transport Authority,  
Chengalpattu

+1cc to Mr.K.Hariharan, Advocate, S.R.No.32473  
+1cc to the Government Pleader, S.R.No.32937

W.P.No.19204 of 2015

SCD(CO)  
CA(09/07/2015)