

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2015

CORAM:

THE HONOURABLE Mr.JUSTICE R.MAHADEVAN

W.P.No.24892 of 2015

and

M.P.No.1 of 2015

S.Sam ... Petitioner

Vs

The Secretary-Regional Transport Authority
cum The Regional Transport Officer,
Ranipet, Vellore District. ...Respondent

Writ petition filed under 226 of the Constitution of India for the issuance of writ of certiorarified mandamus to call for the records of the impugned order of the respondent vide Na.Ka.No.5334/A4/2015 dated 26.6.2015 in revoking the renewal of permit granted to the petitioner's Autorickshaw and to quash the same and further to direct the respondent to issue the renewal permit for the petitioner's Autorickshaw bearing registration No.TN-73-Z-8388.

For Petitioner : Mr.S.Govindaraman

For Respondents : Mr.M.S.Ramesh
Addl. Govt. Pleader

ORDER

Petitioner has filed this writ petition seeking for the issuance of a writ of certiorarified mandamus to quash the order of the respondent dated 26.06.2015 and for a further direction to the respondent to issue renewal permit.

2.The petitioner is the holder of auto rickshaw permit in respect of the vehicle bearing Regn. No.TN 73 Z 8388 and it was valid upto 07.02.2015. Therefore, the petitioner made an application dated 04.02.2015 for renewal of permit along with necessary documents. Accordingly, the respondent, by proceedings dated 16.02.2015, granted renewal for a period of five years and directed the petitioner to produce the records within a period of four months. On 16.06.2015, the respondent inspected the vehicle and issued certificate of

fitness, valid upto 15.06.2016. While so, instead of making endorsement of renewal in the permit and the records of the vehicle, the respondent passed an order dated 26.06.2015, revoking the renewal of permit. Aggrieved by the same, the petitioner has filed the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent.

4. Learned counsel for the petitioner submitted that having granted renewal and certificate of fitness, the respondent is not right in revoking the renewal of permit, that too, without affording an opportunity of hearing to the petitioner.

5. This Court finds some force in the submission made by the learned counsel for the petitioner. Therefore, the impugned order dated 26.06.2015 is set aside and the petitioner is permitted to represent all the papers along with required fee within a period of two weeks from the date of receipt of a copy of this order. On such production, the respondent shall pass appropriate orders within a period of four weeks thereafter.

6. The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst. Registrar (CS II)

/true copy/

Sub Asst. Registrar

mmi

To

The Secretary-Regional Transport Authority
cum The Regional Transport Officer,
Ranipet, Vellore District.

+1 cc to Mr. S. Govindaraman, Advocate, sr.45685
+1 cc to Government Pleader, sr.45411

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