

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2015

CORAM:

THE HON'BLE MR. JUSTICE R. MAHADEVAN

W.P.No.31111 of 2015

Cambridge Matriculation School,
Krishnagiri Road,
Hosur-635 109

.. Petitioner

Vs

The Secretary,
Office of the Regional Transport Authority,
Regional Transport Office (RTO)
Hosur, Krishnagiri District.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondent to consider and pass orders on the application submitted by the petitioner school on payment of charges in challan No.J5498333 dated 04/7/14 reference No.31203/A3/2014 for renewal of permit of Educational Institutional Bus in respect of Vehicle No.TN70-6508.

For Petitioner : Mr.G.Sankaran

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

ORDER

The writ petition is filed for the issuance of a writ of mandamus directing the respondent to consider and pass orders on the application submitted by the petitioner school, for renewal of permit for their bus.

2.1. The case of the petitioner is that the petitioner

school is established in the year 1990 and granted with recognition under Matriculation Code as per the proceedings of Director of School Education dated 27.10.1995 and the recognition is renewed periodically and lastly as per the orders dated 19.03.2013. Since the school is located in a rural area, for transportation of students and staffs, they have one Bus and three Mini Vans for which Educational Institution Vehicle Permit have been obtained as per Rule 171 of Tamil Nadu Motor Vehicle Rules. On expiry of the vehicle permit for the educational institution bus bearing No.TN 70 6508, the petitioner school made application seeking renewal on payment of charges on 04.07.2014. However, the respondent has not passed orders for renewal of permit.

2.2. Further, one G. Ramesh filed a civil suit in respect of the landed properties and caused trouble to the petitioner school and ultimately, the recognition of the school was withdrawn. The petitioner school filed writ petitions in W.P.Nos.12778 and 12779 of 2014 and this Court disposed of the main writ petitions with directions so as to run the school. Further, the Hosur New Town Development Authority issued notices dated 31.01.14 pointing out certain violations against which writ petition was filed by the petitioner in W.P.No.2900 of 2014 wherein orders were passed to submit reply to the said notice and the petitioner school has also submitted reply along with an application seeking approval of building from Town & Country Planning Authorities, as provided in G.O.Ms.No.161, dated 26.06.2013.

2.3. In the meanwhile, due to non-renewal of vehicle permit the students and staff are subjected to serious hardships and further it is affecting the education of the children studying in the school. Hence, the petitioner has come up with this writ petition.

3. Heard the submissions of the learned counsel for the petitioner as well as Mr.M.S.Ramesh, learned Additional Government Pleader appearing on behalf of the respondent.

4. According to the learned counsel for the petitioner, an application for renewal of permit for educational institutional bus was submitted vide Reference No.31203/A3/2014 dated 04.07.2014 along with the renewal fee. The said application is said to be pending. Hence, the learned counsel for the petitioner seeks necessary directions for considering the same.

5. The learned Additional Government Pleader submitted that the respondent would consider the said application on merits within the time as directed by this Court.

6. In view of the above submissions, without going into the merits of the case, this Court directs the respondent to consider the said application for renewal of permit, if it is otherwise in order and necessary orders be passed on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

The Secretary,
Office of the Regional Transport Authority,
Regional Transport Office (RTO)
Hosur, Krishnagiri District.

+lcc to Mr.G.Sankaran, Advocate Sr.57641

W.P.No.31111 of 2015

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srg 3/11/2015

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