

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2015

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.35001 of 2015
and
M.P.No.1 of 2015

R.Madhavan

... Petitioner

Vs

1. The Regional Transport Authority,
Ranipet, Vellore District,

2. The Regional Transport Officer
Ranipet, Vellore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of certiorarified mandamus calling for the records of the 1st respondent vide R.No.48381/A4/2014 dated 25.5.2015 and to quash the same and further to direct the respondent to condone the delay of 265 days and the grant the renewal of Contract Carriage Permit in respect of the petitioner Auto Rickshaw bearing Registration No.TN-73-8834.

For Petitioner : Mr.S.Govindraman

For Respondent : Mr. M.S.Ramesh
Additional Government Pleader

ORDER

The petitioner is the owner-cum-Driver of an Auto rickshaw bearing registration No. TN-73-8834. The respondents herein has granted him permit upto 22.10.2014. Thereafter, the petitioner filed an application for renewal of permit for a further period of five years. But the Regional Transport Authority, Vellore District rejected the above said renewal application by proceedings dated 25.5.2015 stating that there was a delay of 265 days in filing the application. Challenging the rejection of renewal of permit, the petitioner is before this Court by way of a writ petition.

2. Heard the submissions of learned counsel for the petitioner and Mr. M.S.Ramesh, Additional Government Pleader appearing on behalf of respondents.

3. The learned counsel appearing for the petitioner fairly submitted that as against the impugned order, there lies an appeal before the Transport Appellate Tribunal. The learned counsel also submitted that due to health reasons, the petitioner was unable to file an appeal in time and prays for condonation so as to enable the petitioner for filing an appeal before the Appellate Tribunal.

4. Considering the facts and circumstances, the petitioner is permitted to file an appeal before the Appellate Tribunal within a period of two weeks from the date of receipt of a copy of this order. On such filing, the same shall be entertained and appropriate orders be passed on merits and in accordance with law, without raising the issue of limitation.

5. Writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Regional Transport Authority,
Ranipet, Vellore District,
2. The Regional Transport Officer
Ranipet, Vellore District.

+1cc to the Government Pleader, S.R.No.61774

W.P.No.35001 of 2015

SR(CO)
CA(24/11/2015)