

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.9957 of 2015

B.Ramesh

.. Petitioner

Vs.

1.The Commissioner of Transport,
Office of the Transport Commissionerate,
Chepauk,
Chennai-600 005.

2.The Regional Transport Officer,
Ambattur Region,
Ambattur, Chennai-600 053.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the second respondent to consider the application dated 19.01.2015 submitted by the petitioner for grant of excise duty concession applicable to physically handicapped persons in favour of the petitioner for purchase of Car-Hyundai Xcent SX(O) Automatic Transmission, within a time limit fixed by this Court.

For Petitioner : Mr.S.Vijayan

For Respondents : Mr.N.Srinivasan
Additional Government Pleader

O R D E R

By consent, this writ petition is taken up for final disposal.

2. The petitioner is a physically challenged person and his physical disability is assessed at 75% due to Post Polio Paralysis left lower limbs and in this regard, Dr.K.Reveendar, Chief Civil Surgeon, Government Peripheral Hospital, K.K.Nagar, Chennai has also issued a certificate to that effect. The petitioner would state that he opted to purchase a car - Hyundai Xcent SX (O) Automatic Transmission, as it could be driven by a physically challenged person like the petitioner. The petitioner would further state that the Ministry of Finance, Government of India has also issued guidelines/notification dated 14.06.1999 for grant of

excise duty concession certificate to the physically challenged persons in the matter of purchase of cars and as per the said guidelines, the petitioner after obtaining physical disability certificate, submitted an application dated 19.01.2015 to the second respondent seeking grant of excise duty concession and since his application has not been disposed of, he came forward to file this writ petition.

3. Heard the submissions of Mr.S.Vijayan, learned counsel appearing for the petitioner and Mr.N.Srinivasan, learned Additional Government Pleader appearing for the respondents.

4. This Court, taking into consideration the nature of prayer sought for by the petitioner and without entering upon the merits of the application submitted by the petitioner dated 19.01.2015, directs the second respondent to consider and dispose of the application submitted by the petitioner dated 19.01.2015 on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner.

5.This Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jvm

To

1.The Commissioner of Transport,
Office of the Transport Commissionerate,
Chepauk,
Chennai-600 005.

2.The Regional Transport Officer,
Ambattur Region,
Ambattur, Chennai-600 053.

1 cc to Mr.S.Vijayan ,Advocate, SR.No.19464

1 cc to Government Pleader,Sr.No20184

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pmk.22.4.2015