

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.14726 of 2016

N.Subbiah

... Petitioner

vs.

The Regional Transport Officer,
Chennai Central,
Chennai - 23.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent herein to receive the application of the petitioner dated 17.03.2016 in Form CCPA and the prescribed fee for the grant of an Autorickshaw permit in respect of the vehicle bearing Registration No.TN.01 AJ 7347 and to consider the same and to pass orders in accordance with law.

For Petitioner :Mr.A.Ganesan

For Respondent :Mr.A.Zakir Hussain

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondent to receive the application of the petitioner dated 17.03.2016 in Form CCPA and the prescribed fee for the grant of an Autorickshaw permit in respect of the vehicle bearing Registration No.TN.01 AJ 7347 and to consider the same and to pass orders in accordance with law.

2. According to the petitioner, he is doing the Transport business and is the owner of the vehicle bearing Registration No.TN-01-AJ 7347, which is covered by Contract Carriage Autorickshaw permit and it is valid upto 27.08.2015. Immediately thereafter, he could not renew the permit, due to repair of the vehicle. However, on 17.03.2016, when he approached the respondent and made an application along with prescribed fee for grant of Autorickshaw permit, the respondent refused to receive the same on the ground that instructions were received from the Transport Commissioner, State Transport Authority, Chepauk, Chennai not to grant fresh permit to Autorickshaws. Therefore, the petitioner has no other

option except to approach this Court with the present petition for the above stated relief.

3. Heard the learned counsel for the petitioner and the learned counsel, who took notice for the respondent.

4. Considering the limited nature of the relief sought for herein, this Court directs the respondent to receive the application of the petitioner dated 17.03.2016 in Form CCPA and the prescribed fee for the grant of an Autorickshaw permit in respect of his vehicle bearing Regn.No.TN01-AJ-7347 and to consider the same and pass appropriate orders. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the respondent to pass appropriate orders purely on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner. The entire exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

The Regional Transport Officer,
Chennai Central, Chennai-23.

+1cc to Mr.A.Ganesan, Advocate Sr.25249

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W.P.No.14726 of 2016

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srg 26/05/2016