

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 01.09.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.30433 of 2016

R.Rathnasamy

.. Petitioner

Versus

1.The Registering Authority,
(Regional Transport Officer),
Tirupur-North,
Tirupur-641 603.

2.The Asst. Registering Authority,
(Motor Vehicle Inspector - Gr- I),
Office of the RTO North,
Tirupur-641 603.

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the respondents herein to inspect the minibus bearing No.TN-23-N-0414 of the petitioner and renew the fitness certificate.

For Petitioner : Mr.T.Padmanabhan

For Respondents : Mr.A.Zakkir Hussain
Government Advocate

O R D E R

Heard Mr.T.Padmanabhan, learned counsel appearing for the petitioner and Mr.A.Zakkir Hussain, learned Government Advocate, accepting notice on behalf of respondents. With the consent of the learned counsel on either side, the Writ Petition is taken up for final disposal.

2. The petitioner seeks for a direction upon the respondents to inspect his minibus bearing registration No.TN-23-N-0414 and renew the fitness certificate.

3. The learned Government Advocate has promptly obtained instructions by e-mail from the respondents, from which, it is seen that one Mr.Jeevanandam has given a complaint stating that the petitioner has altered the engine and chassis number of the vehicle and therefore, expressed their inability to consider the petitioner's request for renewal of the fitness certificate. If that be the case, the respondent should pass

an order setting out as to under what circumstances, they are unable to accede to his request for renewal of the fitness certificate.

4. Accordingly, there will be a direction to the first respondent to pass a speaking order on the petitioner's Application for renewal of fitness certificate and communicate the same to the petitioner, by registered post with acknowledge due, within a period of two weeks from the date of receipt of a copy of this order. Since the fitness certificate of the petitioner's minibus has already expired, he shall not be entitled to ply the minibus. No costs. Accordingly, the above Writ Petition is disposed of.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Registering Authority,
(Regional Transport Officer),
Tirupur-North,
Tirupur-641 603.
- 2.The Asst. Registering Authority,
(Motor Vehicle Inspector - Gr- I),
Office of the RTO North,
Tirupur-641 603.

+1cc to Mr.T. Padmanabhan, Advocate, S.R.No.49979
+1cc to the Government Pleader, S.R.No.50314

GR(CO)
EU(30/09/2016)

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