

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2016

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.9023 of 2016

P.R. Rajendran

.... petitioner

v.

The Secretary,
Regional Transport Authority,
Salem South

.... Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to consider and pass orders on the petitioner's representation dated 14.01.2016 to make endorsement in the petitioner's stage carriage permit as "express service" in view of the Amendment Rule 3(i) of the T.N.M.V. Rules, 1989 in respect of vehicle No.TN-90/C-0333, permitted to ply on the route, "Salem to Karur", forthwith.

For Petitioner: Mr.K. Hariharan

For Respondent: Mr.A. Rajaperumal
Govt. Advocate (Pondy.)

ORDER

The petitioner has filed the above writ petition to issue a Writ of Mandamus, directing the respondent to consider and pass orders on the petitioner's representation dated 14.01.2016 to make endorsement in the petitioner's stage carriage permit as "express service" in view of the Amendment Rule 3(i) of the T.N.M.V. Rules, 1989 in respect of vehicle No.TN-90/C-0333, permitted to ply on the route, "Salem to Karur", forthwith.

2. Mr.A. Raja Perumal, learned Government Advocate, appearing for the respondent, submitted that the request, made by the petitioner in his representation dated 14.01.2016 cannot be allowed for the reason that it is contrary to the provisions of the Motor Vehicles Act. However, since, the respondent has not passed any order in the petitioner's representation dated 14.01.2016, I am of the view that the respondent should be

directed to pass orders on the representation of the petitioner in accordance with law.

3. Having regard to the submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the case, I direct the respondent to consider the representation of the petitioner dated 14.01.2016 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order after affording due opportunity of personal hearing to the petitioner. With this observation, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sr

To

The Secretary,
Regional Transport Authority,
Salem South

+1 cc to Government Advocate, sr.17421

+1 cc to Mr.K.Hariharan, Advocate, sr.17109

W.P.No.9023 of 2016

tej co

kra 23.03.2016

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