



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2016

CORAM :

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P(MD)No.20993 of 2016

S.Seenivasan

... Petitioner

Vs.

1.The Regional Transport Officer,
Regional Transport Office,
Srivilliputhur
Virudhunagar District.

2.The Motor Vehicle Inspector,
Regional Transport Office,
Sivakasi Unit,
Virudhunagar District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issue a Writ of Mandamus directing the second respondent to register the petitioner's TATA SFC 407/31 BSIII Maxi cab van bearing Chasis No.MAT455097GFA01188 and Engine No.497SP67ATY 601859 and issue the registration certificate and other relevant certificates by considering his representation dated 24.10.2016.

For Petitioner : Mr.R.Sathish

For Respondents : Mr.A.Muthukaruppan

Additional Government Pleader

O R D E R

This writ petition has been filed, seeking a direction to the second respondent to register the petitioner's TATA SFC 407/31 BSIII Maxi cab van bearing Chasis No.MAT455097GFA01188 and Engine No.497SP67ATY 601859 and issue registration certificate and other relevant certificates by considering his representation dated 24.10.2016.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader, who takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the stage of admission.



3.The brief facts leading to the filing of the Writ Petition are as follows:

The petitioner has purchased TATA SFC 407/31 BSIII Maxi Cab Van on 18.02.2016 from ABT Industries Limited, Madurai and the said vehicle is worth about Rs.15,50,000/-. The petitioner has availed loan for the purpose of purchase. As per procedure, the persons who want to purchase a transport vehicle, have to obtain contract carriage from the Transport authority. Therefore, the petitioner applied for the said permit and obtained the contract carriage on 11.02.2016. The validity of the permit was only for the period of three months and registration had to be obtained within a period of three months. Therefore, the petitioner applied for registration of the vehicle. As the permit expired in the meantime, again the petitioner obtained permit and that period has also expired.

4.The petitioner approached the second respondent on 10.06.2016 for registration along with demand draft for a sum of Rs.98,500/- towards life tax. The petitioner has also sent several representations to the second respondent asking for registration of the vehicle. As the second respondent has failed to register the vehicle, this Writ petition has been filed.

5.The learned counsel for the petitioner would submit that every month the petitioner has to pay a sum of Rs.23,584/- to the bank as monthly instalment without any income from the property and therefore, the petitioner is put into irreparable loss and injury on account of the delay caused in the registration of the vehicle.

6.On instructions, the learned Additional Government pleader for the respondents would submit that the first respondent has no objection to register the vehicle as LMV/Passenger Chassis - BS - III. For this, the petitioner has no objection.

7.Therefore, the first respondent is directed to register the petitioner's vehicle viz., TATA SFC 407/31 BSIII Maxi cab van bearing Chasis No.MAT455097GFA01188 and Engine No.497SP67ATY 601859 as LMV/Passenger Chassis - BS - III within a period of three days from the date of receipt of a copy of this order. There shall not be any further delay, as the petitioner has paid Rs.23,584/- per month for eight months without any income from the vehicle.

8.The Writ petition is ordered accordingly. No costs.

Sd/-

Assistant Registrar (AS)

/True Copy/



To

1.The Regional Transport Officer,
Regional Transport Office,
Srivilliputhur, Virudhunagar District.

2.The Motor Vehicle Inspector,
Regional Transport Office,
Sivakasi Unit, Virudhunagar District.

+1 cc to the Special Government Pleader, SR 67017

+1 cc to Mr.R.SATHISH, Advocate, SR 66841

W.P(MD)No.20993 of 2016

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SH/EM-MPA/SAR-3:11.11.2016:3P/5C