

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.7099 of 2017

M/s.Senthiliumar Transport
Represented by its Partner namely
Mr.B.Senthil Kumar .. Petitioner

Vs.

- 1.The Joint Commissioner
Transport Department,
Chepauk, Chennai-600 005.
- 2.The Regional Transport Officer
Chennai (East)
Power Mills Road, Pulianthoppu
Chennai-600 002.
- 3.The Motor Vehicle Inspector
Grade I,
The Regional Transport Officer,
Chennai (East)
Power Mills Road,
Pulianthoppu, Chennai-600 002. ... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents 2 and 3 herein to accept the fee for renewal of Fitness Certificates along with applications in respect of the three Public Goods Carriage vehicles bearing registration Nos. TN04 AJ 3360, TN04 AJ 3406 and TN04 AJ 3418 belonging to the petitioner herein and consider the same and pass orders renewing the fitness certificates relating to the above said vehicle in accordance with Motor Vehicles Act 1988 so as to enable to petitioner herein to operate all the said three Goods Carriage Vehicles on the road continuing the existing goods carriage service as per respective goods carriage permit in the interest of public.

For Petitioner : Mr.K.M.Venugopal
For Respondents : Mr.M.Elumalai, Government Advocate

O R D E R

Mr.M.Elumalai, learned Government Advocate takes notice for the respondents. By consent of the parties, the main writ petition itself is taken up for final disposal at the admission stage itself.

2. This writ petition is filed seeking for a direction to the respondents 2 & 3 to accept the fee for renewal of Fitness Certificates along with applications in respect of three Public Goods Carriage Vehicles bearing Registration Nos. TN04 AJ 3360, TN04 AJ 3406 and TN04 AJ 3418 belonging to the petitioner.

3. The grievance of the petitioner is that the respondents 2 & 3 are not even receiving the application for renewal from the petitioner, when they sought to submit the same before the said authorities. It is further stated that the petitioner has also filed a complaint before 1st respondent as against such non-receipt of the application by the respondents 2 & 3.

4. Needless to say, that the respondents 2 & 3 are duty bound to receive the application for renewal from the petitioner with necessary fee and pass orders on the same on its own merits and in accordance with law. This Court, at this stage, is not expressing any view on the claim made by the petitioner for such renewal, as it is for the respondents 2 & 3, to consider and decide. However, for receiving the application, there cannot be any difficulty or impediment for the respondents 2 & 3. Accordingly, this writ petition is disposed of, by directing the respondents 2 & 3 to receive the application for renewal of Fitness Certificates along with necessary fee in respect of the above said three vehicles from the petitioner, immediately if the application and the payment of fee are otherwise in order. On receipt of the said application and fee as stated supra, the respondents 2 & 3 are directed to pass appropriate orders on merits and in accordance with law, within a period of three weeks thereafter. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mk

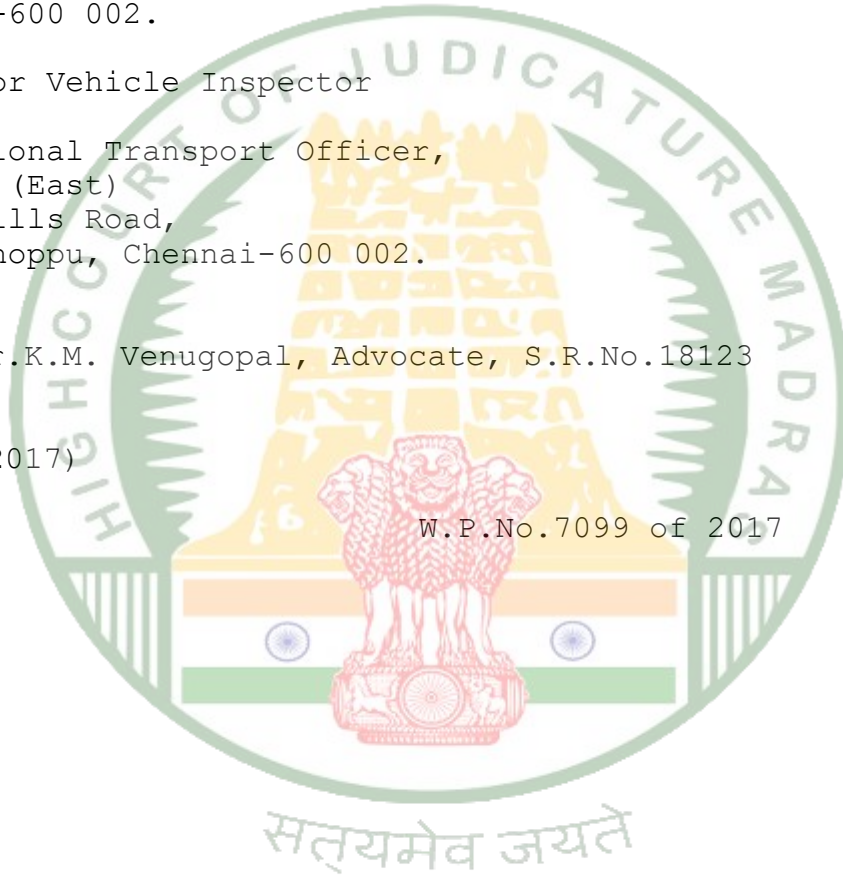
To

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Chennai (East)
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Pulianthoppu, Chennai-600 002.

+1cc to Mr.K.M. Venugopal, Advocate, S.R.No.18123

rv(CO)
md(23/03/2017)

W.P.No.7099 of 2017



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