

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :02.03.2017

CORAM:

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.5229 of 2017

R.Rani

..Petitioner

Vs.

The Secretary,
State Transport Authority Pondicherry,
Pondicherry.

..Respondent

Prayer : Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the respondent herein to dispose of the petitioner's representation dated 04.01.2017 given for considering the petitioner's application for renewal of permit, within a time frame to be fixed by this Court.

For Petitioner : M/s.G.Djearany

For Respondent : Mr.C.T.Ramesh,
Addl. Govt. Pleader (Pondy)

O R D E R

Mrs.R.Rani, wife of late R.Rajendran, the petitioner herein has filed this writ petition seeking for issuance of Writ of Mandamus directing the respondent to dispose of the petitioner's representation dated 04.01.2017 given for considering the petitioner's application for removal of permit, within a time frame to be fixed by this Court.

2. The petitioner herein claims to be the wife of late R.Rajendiran, who had succeeded to avail the vehicle from his mother, as per the judgment and decree passed by the Principal District Judge, Puducherry granting 1/6th share of the schedule of properties. In the suit, the permit is also mentioned as 'C' schedule property. Therefore, the petitioner's husband late R.Rajendiran, had succeeded the possession of the vehicle from his mother and after his demise on 29.07.2008, the petitioner herein had succeeded to the possession of the vehicle and she has been plying the said vehicle in the interstate route "Villupuram to Cuddalore". However, the permit got expired, the

same was renewed by the respondent in proceedings No.11/PY/1960/TD/TP1/2012, dated 31.01.2012, for the period of five years from 24.11.2011 to 23.11.2016. Thereafter, the petitioner had applied for permit renewal of the vehicle on 30.09.2016 (even 15 days before the date of expiry of the permit)sd after paying necessary charges. But till date, the said application has not been considered. Therefore, the petitioner has given a representation dated 04.01.2017 to the respondent for considering her renewal application and the same was also acknowledged by the respondent on 05.01.2017. Even though the petitioner has given a representation dated 04.01.2017, there is no response from the respondent so far. Hence, the present writ petition.

3. Mr.C.T.Ramesh, the learned Additional Government Pleader (Puducherry), takes notice for the respondent.

4. Without going into the merits of the case and considering the submission of the leanred counsel for the petitioner, the respondent is hereby directed to consider the petitioner's representation dated 04.01.2017 and pass appropriate orders on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order.

5. With the above observation, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

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To

The Secretary,
State Transport Authority Pondicherry,
Pondicherry.

+1cc to Mr.G.Djearany,Advocate sr.14008
+1cc to Government Advocate (Puducherry) sr.14236

W.P.No.5229 of 2017

br(co)
ss(11/4/2017)