

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.27399 of 2017

Siddhartha Senior Secondary School
rep. by its Correspondent
R.P.Ulaganambi
No.30, Vasantham Nagar,
Phase-III, TNHB, Sathuvachari,
Vellore - 632 009
Vellore District

... Petitioner

Vs.

The Regional Transport Authority,
Vellore.

... Respondent

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondent to consider the petitioner's representation dated 17.10.2017 forthwith for renewal of vehicle permit for its vehicles (i) TN 23 AD 6087 - Mahindra Tourists 25 model (ii) TN 23 AD 6111 - Mahindra Tourister 25 Model and (iii) TN 23 AD 6114 - Mahindra Tourister 25 Model without insisting the No Objection Certificate.

For Petitioner : Mr.R.Neelakandan

For Respondent : Mr.R.Govindasamy
Special Government Pleader

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O R D E R

Mr.R.Govindasamy, learned Special Government Pleader, takes notice for the respondent. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. Heard the learned counsel for the petitioner and the

learned Special Government Pleader appearing for the respondent.

3. The petitioner seeks for a mandamus directing the respondent to consider the petitioner's representation dated 17.10.2017 forthwith for renewal of vehicle permit for its vehicles (i) TN 23 AD 6087 - Mahindra Tourists 25 model (ii) TN 23 AD 6111 - Mahindra Tourister 25 Model and (iii) TN 23 AD 6114 - Mahindra Tourister 25 Model, without insisting the No Objection Certificate.

4. The petitioner's School earlier approached this Court and filed W.P.No.25719 of 2017 seeking for a Mandamus directing the Regional Officer, Central Board of Secondary Education, Chennai, to grant No Objection Certificate to the petitioner School for its vehicles (i) TN 23 AD 6087 - Mahindra Tourists 25 model, (ii) TN 23 AD 6111 - Mahindra Tourister 25 Model and (iii) TN 23 AD 6114 - Mahindra Tourister 25 Model, for the purpose of renewal of permit of those vehicles. This Court, by order dated 13.10.2017 directed the said official namely, the Regional Officer, Central Board of Secondary Education, Chennai, to consider the request of the petitioner and pass orders on the same on merits and in accordance with law also by taking note of the earlier order passed by this Court in W.P.No.31127/2015 dated 17.10.2016 within a period of two weeks. Now, the present Writ Petition is filed seeking for considering the petitioner's application for grant of renewal of permit.

5. As this Court has already directed the Central Board of Secondary Education to consider the request of the petitioner for issuing No Objection Certificate for the purpose of getting renewal, needless to say that the respondent will consider the request of the petitioner and pass orders on the same after obtaining No Objection certificate from Central Board of Secondary Education. Therefore, this Court is of the view that the filing of the present writ petition is highly pre-mature. Accordingly, this writ petition is closed with liberty to the petitioner to approach this Court as and when necessity arises. However, if the respondent is of the view that an undertaking can be obtained from the petitioner for considering the request for renewal of permit in view of the fact that those buses are sought to be plied for the students of the School, it is open to them to do so. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vsi

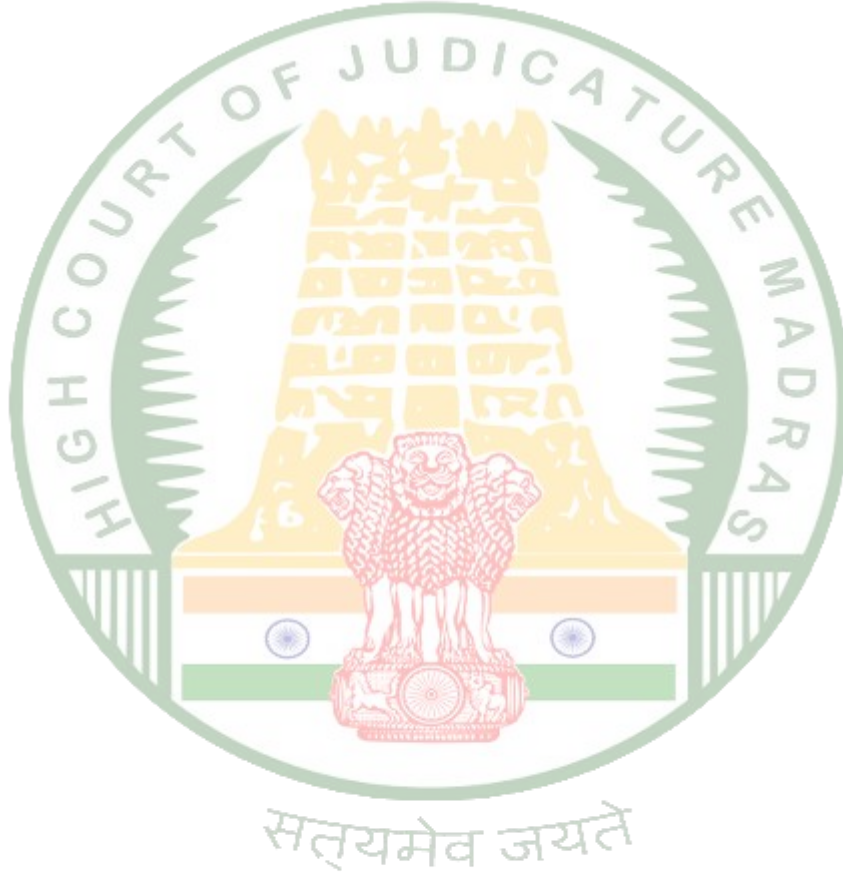
To

The Regional Transport Authority,
Vellore.

+1cc to Mr.R.Neelakandan, Advocate SR.No.75425

W.P.No.27399 of 2017

GN(26/10/2017)



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