

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.06.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.37362 of 2016
and
W.M.P.No.32020 of 2016

M/s. Shanmuganathan Tractors
rep. By tis Proprietor S.Udayasankar
No.46/8, G.S.T.Road,
Malrosapuram Road Junction,
Singaperumal Koil Chengalpattu,
Kancheepuram District.Petitioner.

Vs.

1. The Registering Authority-cum-Regional
Transport Officer,
Chengalpattu - 603 002.
2. The Additional Director General of Foreign Trade,
No.26, Shastri Bhavan,
Haddows Road, 4th and 5th Floor,
Chennai - 600 006
(R2 is impleaded as per order dated 19.12.2016
by RSAJ in WMP.No.37089 of 2016 and
W.P.No.37362/2016)
3. The State Transport Commissioner,
Chennai.
(R-3 is impleaded as per order dated
18.04.2017 by KRCBJ in W.P.No.37362/2016
and WMP.No.32020/2016) ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the respondent Proc.No.15571/B3/2016 dated 30.09.2016 and to quash the same consequently direct the respondent herein to register the petitioner's Vehicle bearing Chassis No.3GA00766 and Engine Number 6D16-869119 as Earth Moving Equipment (MMV), forthwith.

For Petitioner : Mr.K.Hariharan

For Respondents : Mr.Akhil Akbar Ali,
Govt .Advocate for R1 & R2.
Mr.S.Makesh
Standing Counsel for R3.

O R D E R

The petitioner is aggrieved against the order of the 1st respondent dated 30.09.2016, rejecting the application for registration of the petitioner's vehicle bearing Chassis No.3GA00766 and Engine Number 6D16-869119.

2. Heard both sides.

3.Learned counsel for the petitioner submits that already the Registering Authority has registered the same type of machine and therefore, refusing to receive the present one under dispute is not justifiable.

4. Learned counsel for the first respondent stated that if the petitioner produces the relevant records in respect of the earlier vehicle registered in Registration No.TN-19-B-7162, the first respondent will consider those documents as well as the request of the petitioner and pass fresh order.

5. Considering the above stated facts and circumstances, the petitioner is permitted to appear before the 1st respondent and produce the relevant documents in connection with the earlier registration. On such production, the 1st respondent shall consider the case of the petitioner afresh and pass appropriate orders within a period of four weeks therefrom.

6. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

Vsi

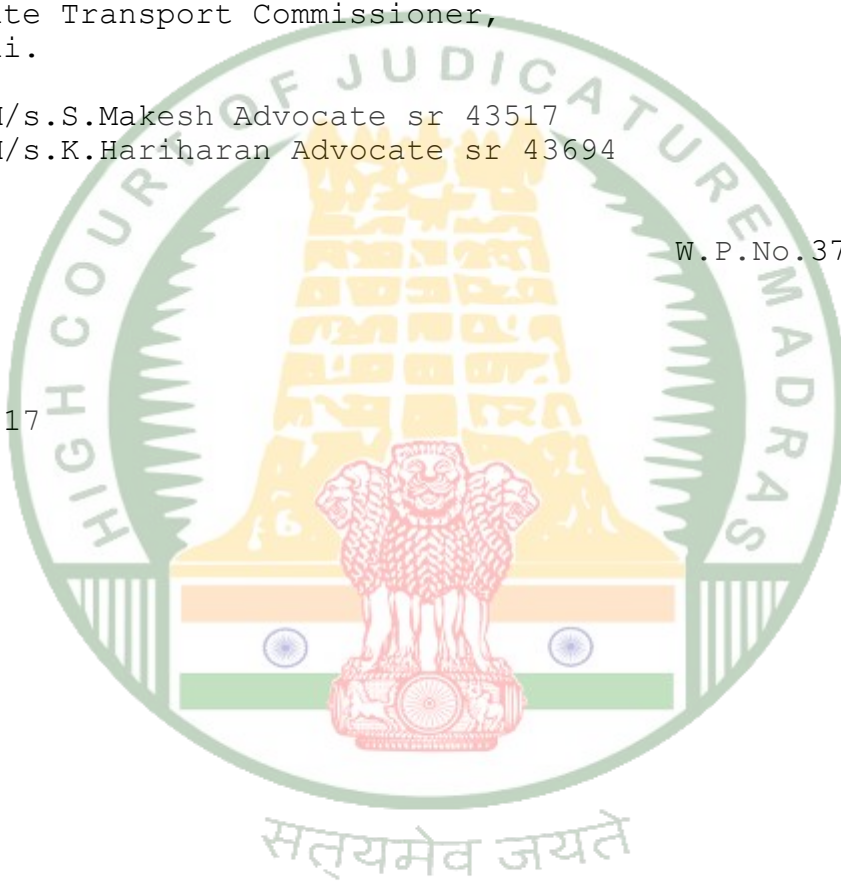
To

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No.26, Shastri Bhavan,
Haddows Road, 4th and 5th Floor,
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3. The State Transport Commissioner,
Chennai.

+1 cc to M/s.S.Makesh Advocate sr 43517
+1 cc to M/s.K.Hariharan Advocate sr 43694

W.P.No.37362 of 2016

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