



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2017

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THE HONOURABLE MR. JUSTICE T. RAJA

W.P. (MD) No. 15869 of 2017

'Animal Care Trust'

Represented by its Managing Trustee,
S.D.Selvaram Raja,
No.174, Cotton Market,
Rajapalayam,
Virudhunagar District.

: Petitioner

Vs.

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

2. The Motor Vehicle Inspector,
RTO Office,
Srivilliputhur,
Virudhunagar District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the first respondent to take the petitioner's application for registration of a motor vehicle dated 15.02.2017 on file and to register LMV Mahindra Imperio DC VX vehicle (Chassis Number: MA1PZ2JCKG6A45007 & Engine Number: JCF4M84777) as a Non-Transport Category vehicle by considering his representation dated 19.02.2017 within a period that may be stipulated by this Court.

For Petitioner : Mr.R.Gandhi

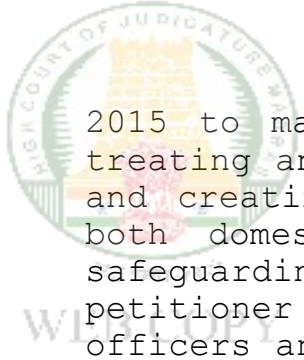
For Respondents : Mr.D.Muruganantham,
Additional Government Pleader

O R D E R

By consent of both parties, the writ petition itself is taken up for final disposal.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The petitioner is a Managing Trustee of Animal Care Trust, situated at Rajapalayam. The said trust was established in the year



2015 to maintain "Kosalas" for cows and veterinary hospitals for treating animals. The said trust is also disseminating information and creating awareness to the general public to care and protect both domestic and wild animals and they are also engaged in safeguarding the animals from cruelty. The office bearers of the petitioner trust are all associated with forest officials, wildlife officers and social workers interested in protecting the nature and are involved in safeguarding the precious life of animals. Moreover, they are taking care in resolving man-wildlife animal conflicts and are engaged in giving them suitable and immediate treatment to the sick, unwell and unattended animals.

3. Besides, the petitioner trust is also having 230 wild animals and giving proper medical care through their Veterinary Care Unit as well as Mobile Veterinary Care Unit. Appreciating the service rendered by the petitioner trust, the Conservator of Forest, Madurai Circle as well as Virudhunagar Circle have given special permission for the trust members to inspect the captive elephants in Virudhunagar, Sivagangai, Ramanathapuram, Madurai and Theni districts and also to collect samples required for clinical examination to ascertain the health status of captive elephants.

4. In order to implement the aforementioned service, the trust members have decided to purchase a vehicle. Accordingly, they purchased a Mahindra Imperio vehicle for using the same in rescue operations. On 02.02.2017, a registration certificate has also been issued by the Assistant Registering Authority, Salem South, since they purchased the vehicle in Salem. Subsequently, along with all necessary documents and representation dated 19.02.2017, the petitioner trust approached the first respondent on 15.02.2017, for the registration of the vehicle as Non-Transport vehicle.

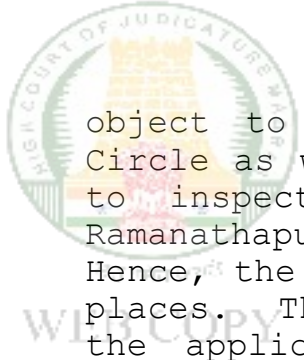
5. In an identical circumstance, when W.P. (MD) No. 34430 of 2014 was filed, this Court vide order dated 30.10.2015, directed the transport authority to register the vehicle as non-transport vehicle. In the present case also, the petitioner trust is in eminent need of the vehicle to attend the unwell animals.

6. The learned Additional Government Pleader appearing for the respondents would submit that the application of the petitioner was already considered and returned with the remark that the petitioner should approach the Motor Vehicle Inspector Grade-I, Srivilliputhur. Therefore, the petitioner trust has to approach the said officer for registration of the vehicle.

7. The learned counsel for the petitioner would submit that as per the returned remarks the said officer was also immediately approached on 07.03.2017, but, there was not response from the said officer. Hence, the petitioner trust has approached this Court with the present writ petition.

<https://hcservices.ecourts.gov.in/hcservices/>

8. The petitioner being a trust established with a laudable



object to help the animals, the Conservator of Forest, Madurai Circle as well as Virudhunagar Circle have given special permission to inspect the captive elephants in Virudhunagar, Sivagangai, Ramanathapuram, Madurai and Theni districts in the year 2016. Hence, the petitioner trust deserves a vehicle to inspect all those places. Therefore, the respondents are hereby directed to consider the application of the petitioner trust and register the said vehicle as Non-Transport Vehicle within a period of one week from the date of receipt of a copy of this order.

9.The Writ Petition is disposed of with the above direction.
No costs.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

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

2. The Motor Vehicle Inspector,
RTO Office,
Srivilliputhur,
Virudhunagar District.

+ 1 CC TO Mr.R.GANDHI, ADVOCATE IN SR No. 74365
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 74777

MR/MRN
TE/MR-KKR/SAR-I : 02/11/2017 : 3P/5C

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