



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) .No.17452 of 2017

and

W.M.P. (MD) Nos.13985 to 13987 of 2017

Dr.A.Sivgurunathan

... Petitioner

Vs.

1.The Regional Transport Authority/
The District Collector
Madurai District,
Madurai

2.The Secretary,
Regional Transport Authority,
Madurai (North),
Madurai.

3.Regional Transport Authority,
Madurai North,
K.Pudhur,
Madurai.

....Respondents

PRAYER: Writ petition is filed, Under Article 226 of Constitution of India, to issue a writ of Certiorarified Mandamus calling for the records pertaining to the 2nd respondent in his proceeding No.Lr.No.35239/B1/2017 dated 17.07.2017 and quash the same and direct the 3rd and 4th respondent to permit the petitioner to renew the vehicle bearing No.TN59 BH 4035 periodically and to permit the petitioner's vehicle as commercial advertisement medium good vehicle in the registration certificate issued by the 3rd and 4th respondent.

For Petitioner : Mr.N.DilipKumar
for Mr.S.Krishnan

For Respondents : Mr.D.Muruganantham
Additional Government Pleader

O R D E R

By consent, this writ petition was taken up for final disposal at the stage of admission itself.

<https://hcservices.courts.gov.in/hcservices> Mr.D.Muruganantham, learned Additional Government Pleader takes notice for the respondents.



3.The petitioner came before this Court, seeking a Writ of Certiorarified Mandamus, to quash the impugned proceedings of the first respondent in No.Lr.No.35239/B1/2017 dated 17.07.2017, vide which, the RC and permit in respect of the petitioner's goods vehicle bearing No.TN-59-BH-4035 were cancelled. The petitioner also sought for a direction to the respondents to permit him to renew his vehicle bearing No.TN-59-BH-4035 periodically.

4.This Court is of the view that this writ petition itself is not maintainable, since the petitioner came before this Court challenging the order of Regional Transport Authority, when there is an appellate authority, namely, Tamil Nadu State Transport Appellate Authority.

5.Hence, this Court is not inclined to entertain this petition and the same is accordingly dismissed, with liberty to the petitioner to file an appeal before the appellate authority, within a period of two weeks from the date of receipt of a copy of this order. On such filing, the appellate authority is directed to consider the same, without raising any issues regarding limitation. Till such filing of an appeal, the respondents are directed to maintain status-quo, with regard to cancellation of RC and permit. If the petitioner fails to file an appeal within the time stipulated by this Court, it is open to the respondents to take appropriate action, in the manner known to law. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

- 1.The Regional Transport Authority/
The District Collector
Madurai District,
Madurai.
- 2.The Secretary,
Regional Transport Authority,
Madurai (North), Madurai.
- 3.Regional Transport Authority,
Madurai North,
K.Pudhur, Madurai.

+1cc to Mr.S.KRISHNAN Advocate in SR. No. 79105

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 79078

GK/SMI

JS/SV.MMR/SAR.1/21.09.2017/2P-6C