

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.42823 of 2017

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioners, seeking the following relief:

“For the reasons stated in the accompanying affidavit, the petitioner herein pray that this Hon’ble Court may be pleased to issue appropriate writ or any other order or direction particularly one in the nature of Writ of Mandamus to declare the action of the respondent No.3 in not renewing the Fitness of the petitioners vehicles inspite of their repeated requests is arbitrary, illegal, unconstitutional and consequently direct the respondent No.3 to renew the fitness of the petitioners vehicle at the earliest and to pass such other order or orders appropriate in the case.”

[Reproduced verbatim]

2. I have heard the submissions of Dr. *A.Raghu Kumar*, learned counsel for the petitioners, and of the learned Government Pleader for Transport appearing for the respondents 1 to 3. I have perused the material record.

3. At the hearing, learned counsel for the petitioners and learned Government Pleader for Transport appearing for the respondents are in agreement that the issue in this writ petition is squarely covered by the orders of this Court, dated 06.04.2017, passed in W.P.No.9570 of 2017. They also bring to the notice of this Court that this Court disposed of a similar writ petition in W.P.No.40680 of 2017 by orders, dated 05.12.2017, following the above said orders in the afore-stated writ petition. Copies of the orders in the afore-stated writ petitions are placed on record.

4. Having regard to the facts and submissions and for the reasons

alike as were mentioned in the afore-stated orders, this Writ Petition is disposed of directing the respondent authorities to allow the petitioners to forthwith submit their applications through online and process the same, as expeditiously as possible and complete the testing formalities within a period of two (02) weeks from the date of receipt of a copy of this order. However, it is made clear that the respondent authorities may take action, in accordance with law, against the petitioners for furnishing the alleged fake addresses and getting their vehicles registered.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE M. SEETHARAMA MURTI

Date: 18th December, 2017

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