

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2018

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.5268 of 2008

and

MP.No.1 of 2008

G.V.Chandrasekaran

... Petitioner

Versus

1.The Regional Transport Authority,
Namakkal.

2.The Regional Transport Officer,
Namakkal.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India praying to issue Writ of Mandamus, directing the second respondent to cancel the Existing Tax Endorsement in the Certificate of Registration for Rs.9375/- per quarter and to modify the same to $\frac{3}{4}$ th of the Tax amount of the primary Mini stage carriage permits Tn-28-M-7671 and TN-28-H-9255 in respect of the Petitioner's Mini Spare Bus permit of the vehicle bearing Regn. No.TN-28-AB-4140, in pursuant to the petitioner's representation dated 01.02.2008.

For Petitioner : Mr.S.Govindaraman

For Respondents: Mrs.Thanga Vadhana Balakrishnan,
Additional Government Pleader.

ORDER

The prayer sought for in the present writ petition is to direct the second respondent to cancel the Existing Tax Endorsement in the Certificate of Registration for Rs. 9375/- per quarter and to modify the same to $\frac{3}{4}$ th of the Tax amount of the primary Mini stage carriage permits TN-28-M-7671 and TN-28-H-9255 in respect of the Petitioner's Mini Spare Bus permit of the vehicle bearing Regn. No.TN-28-AB-4140, in pursuant to the petitioner's representation dated 01.02.2008.

2. The learned Additional Government Pleader, produced a letter of Regional Transport Officer, Namakkal, dated 29.10.2008, along with an affidavit of the petitioner in Non-Judicial Stamp, dated 10.10.2008. On a perusal of the same, it

could be seen that the petitioner was intending to sell the vehicles to one Arjunan. Further, the learned Additional Government Pleader also contended that the petitioner has already sold the two vehicles to third party (i.e., one Arjunan) bearing Registration No.TN-28-AB-4140 respectively and in view of the above, the petitioner has no locus standi to proceed this case, since he is not the owner of the above said vehicles.

4. The learned counsel for the petitioner contended that the writ petition has become infructuous and prayed this Court to dismiss the Writ Petition. He also made an endorsement to the following effect:

"It is respectfully submitted that the writ petition has become infructuous. Therefore, it is respectfully submitted that this Hon'ble Court may be pleased to dismiss the W.P.No.5268 of 2008 as infructuous to render justice."

5. In the light of the above submissions, and the endorsement made, this Writ Petition is dismissed as infructuous. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(CS IV)

//True copy//

Sub Assistant Registrar

klr

To

1.The Regional Transport Authority,
Namakkal.

2.The Regional Transport Officer,
Namakkal.

+1cc to Government Pleader SR.No.38099

W.P.No.5268 of 2008
and
MP.No.1 of 2008

GN(25/07/2018)