

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 06.07.2018
CORAM
THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN
W.P.No.20278 of 2008
and
M.P.No.2 of 2008

S.Noorulameen

... Petitioner

Vs.

The Regional Transport Officer,
Gobichettipalayam,
Erode District.

... Respondent

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the entire records relating to the impugned order passed by the respondent in his proceedings No.Sae.Mu.Order No.14299/A-2/2008, dated 22.07.2008 and quash the same.

For Petitioner : Mr.C.Prakasam

No Appearance

For Respondent : Mrs.Thangavadhana Balakrishnan
Additional Government Pleader

O R D E R

This Writ Petition has been filed, to call for the entire records relating to the impugned order passed by the respondent in Proceedings No.Sae.Mu.Order No.14299/A-2/2008, dated 22.07.2008 and to quash the same .

2. The petitioner is the owner of the Lorry bearing Registration No.T.N.A.5805 and he had entrusted the same to his driver, only to use it for lawful purposes. While so, on 27.04.2008, when the lorry was engaged by one of the traders, for transporting rice from Dharapuram to Coimbatore, the respondent had seized the lorry and registered a case. Immediately, the petitioner made a written representation on 28.04.2008, requesting the District Collector, Erode, to release his lorry, but, no orders had been passed. Hence, the petitioner had approached this Court by filing a Writ Petition in W.P.No.11008 of 2008, to direct the District Collector, to release his lorry and this Court had allowed the same by directing the District Collector, Erode, to release the said lorry. Accordingly, the District Collector has released the same, pending enquiry under Section 6(A) of the Essential Commodities Act.

3. However, the respondent has passed the impugned order in Proceedings No.Sae.Mu.Order.No.14299/A-2/2008, dated 22.07.2008, whereby, cancelled the permit of the petitioner's lorry bearing Registration No.T.N.A.5805. Hence, the petitioner, with no other alternative, has approached this Court by filing this Writ Petition, to quash the said impugned order dated 22.07.2008.

4. The learned Additional Government Pleader appearing for the respondent would submit that the said permit was expired on 21.07.2009 itself and thereafter, the petitioner was not even applied for extension of the said licence. Further, the lorry of the petitioner was also handed over to him, hence, nothing survives in this Writ Petition.

5. Recording the above submission made by the learned Additional Government Pleader, this Writ Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

raja

To

The Regional Transport Officer,
Gobichettipalayam,
Erode District.

+lcc to Government Pleader SR.NO.44568

VSNIIC(O)

sm:17.10.2018

W.P.No.20278 of 2008

and

M.P.No.2 of 2008

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