

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2018

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.25785 of 2018

V.Prabhu

... Petitioner

-vs-

The Regional Transport Officer,
Chennai Central, Chennai.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondent to receive and entertain the application of the petitioner dated 13.12.2017 in Form PRA, which was returned to the petitioner by the respondent, in respect of the renewal of the petitioner's contract carriage auto rickshaw permit with reference to vehicle bearing Registration No.TN 01 X 3262.

For Petitioner : Mr.S.Govindraman

For Respondent : Mr.E.Neelakandan,
Government Advocate

O R D E R

The petitioner seeks for a direction to the respondent to receive and entertain the petitioner's application dated 13.12.2017 in respect of the renewal of the petitioner's contract carriage auto rickshaw permit, with reference to vehicle bearing Registration No.TN 01 X 3262.

2.The grievance of the petitioner is that, the earlier permit granted was expired on 23.07.2017, thereafter, he had filed an application for renewal with a delay, and also paid the fees and late fees for the same, now, the respondent, without even considering the application, returned the same without assigning any reasons. Hence, the present writ petition has been filed.

3.Heard Mr.S.Govindraman, learned counsel for the petitioner and Mr.E.Neelakandan, learned Government Advocate for the respondent.

4.The petitioner's application is for renewal of auto rickshaw permit. Under Section 81(3) of the Motor Vehicles Act, the respondent has power to condone the delay in filing the application for renewal belatedly. It is the contention of the petitioner that he has filed the application for renewal, and also paid the fees prescribed under the said Act, but it was returned without assigning any reason. When the authority is clothed with power to deal with the application for renewal with delay, he has to entertain the application and dispose the same on its own merit, and the application cannot be returned without any reason.

5.Under such circumstances, the petitioner is directed to submit the application for renewal within a period of one week from the date of receipt of a copy of this order. On receipt of such application for renewal, the respondent is directed to consider the same and pass suitable orders on merits and in accordance with law within a period of four weeks therefrom.

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

abr
To

The Regional Transport Officer,
Chennai Central, Chennai.

+1cc to M/s.S.Govindaraman, Advocate SR.No.68021

+1cc to Government Pleader SR.No.68571

W.P.No.25785 of 2018

VSN II(CO)

GMV (26/11/2018)