



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 12.03.2018

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THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.17534 of 2017

T.Jacob Suresh

... Petitioner

-Vs-

The Regional Transport Officer,
The Regional Transport Office,
Tiruchendur,
Thoothukudi District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings Se.Mu.Aa.No.10690/A1/2017 dated 12.06.2017 on the file of the respondent and quash the same as illegal and direct the respondent to register his MAXI CAB vehicle with the respondent office by providing a new number.

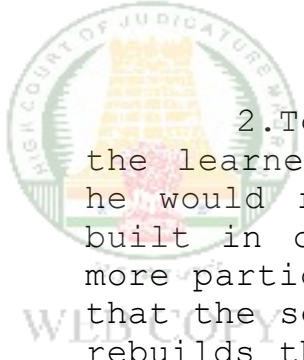
(Prayer amended vide Court order dated 22.09.2017 in
W.M.P (MD) No.14341 of 2017)

For petitioner : Mr.V.Rajiv Rufus

For respondent : Mr.M.Jeyakumar
Additional Government Pleader

ORDER

The petitioner purchased a MAXI CAB vehicle in the year 2016 under Chassis No.MC2A1CRFOGA332798 and Engine No.E413CDGA065577. Thereafter the body was built and taken to the respondent for registration. The respondent by proceedings dated 08.03.2018 declined to register the said vehicle for the reason that there is over hang both on the rear side and on the front side and it is in violation of Rule 93 (6) of Central Motor Vehicles Rules, 1989. It is also pointed out that the Maxi Cab vehicle can have only 12+1=13 seats. But in the maxi cab of the petitioner there is evidence to show that excess seats were originally installed and then removed.



2.Today, when the matter is taken up for final disposal, the learned counsel for the writ petitioner fairly conceded that he would rebuild the vehicle so as to ensure that the body is built in conformity with the Central Motor Vehicle Rules, 1989 more particularly Rule 93(6). He also undertook before this Court that the seating capacity will not exceed 12+1. If the petitioner rebuilds the body of the vehicle as per the statutory requirements and produces the same before the respondent, the respondent is directed to register the vehicle without causing any delay.

3.With the above direction this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

The Regional Transport Officer,
The Regional Transport Office,
Tiruchendur, Thoothukudi District.

+1. CC to M/S.V.Rajiv Rufus Advocate SR.No.54669
+1. CC to Special Government Pleader, SR.No.54940

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12.03.2018

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