

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.21727 of 2018

ORDER:

This Writ Petition is filed to declare the action of the 3rd respondent-Deputy Transport Commissioner in not renewing the fitness of the petitioner's vehicles in spite of his repeated requests, as illegal and arbitrary.

Learned counsel on either side submit that in somewhat similar circumstances, this Court while deciding Writ Petition No.9570 of 2017, on 06.04.2017, passed an order, the operative portion of which reads as under:

"It may be noted that as long as the registration granted in favour of the petitioners is in subsistence and subject to the condition of the petitioners complying with the requirements of payment of the prescribed fees and producing the vehicles before the authorized testing stations, the respondent authorities, cannot deny the right of the petitioners for seeking fitness certificates of the vehicle as fitness certificates are essential is in relation to testifying the roadworthiness of the vehicles.

The same has nothing to do with the registration of the vehicle.

In those circumstances, the writ petition is allowed directing the respondent authorities to allow the petitioners forthwith to submit their applications through online and process the same as expeditiously as possible and complete the testing formalities within a period of two weeks from the date of receipt of copy of this order.

However, it is made clear that the respondent authorities may take action against the petitioners for furnishing the alleged fake addresses and getting their vehicles registered, in accordance with law. No order as to costs."

In view of the said submission, this Writ Petition is also disposed of in terms of the order, dated 06.04.2017, in Writ Petition No.9570 of 2017. No costs.

Consequently, the miscellaneous petitions, if any, shall also stand disposed of.

A.V.SESHA SAI,J

27th June, 2018
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