

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2019

CORAM

THE HON'BLE MR. JUSTICE D. KRISHNAKUMAR

W.P.No.7176 of 2019

G.Kalyani

... Petitioner

Vs.

The Regional Transport Officer,
Salem-East,
Salem.

....Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent herein to receive the application of the Petitioner, dated 04.03.2019, in Form CCPA and the prescribed fee for the grant of a Autorickshaw Permit to operate the vehicle within radius of 30 K.M. distance from Old Bus Stand, Salem and to consider the same.

For Petitioner : Mr.A.Ganesan

For Respondent : Mr.V.Shanmuga Sundar
Special Government Pleader

O R D E R

The petitioner has filed the Writ Petition praying to issue a Writ of Mandamus, directing the respondent herein to receive the application of the Petitioner, dated 04.03.2019, in Form CCPA and the prescribed fee for the grant of a Autorickshaw Permit to operate the vehicle within radius of 30 K.M. distance from Old Bus Stand, Salem and to consider the same.

2.According to the learned counsel for the petitioner, the petitioner approached the respondent and requested to receive the application dated 04.03.2019, in Form CCPA and the prescribed fee to operate the vehicle within 30 K.M. radius distance from the Salem Town Bus Stand, Salem District. So far no order has been passed and the respondent has not entertained the application. There is no prescribed fee for the grant of autorickshaw permit. Therefore, the respondent refused to receive the said application as illegal and the same is without any justification.

3.The learned Special Government Pleader appearing for the respondents would submit that under Section 81(2) of the Motor Vehicle Act, the authorities have to consider the said application, which is in proper format and to pass order. Therefore, the respondent cannot refused to entertain the said application submitted by the petitioner.

4.Therefore, this Court is inclined to direct the respondents to receive the petitioner's application along with the request and to consider the same in accordance with law, as expeditiously as possible, within a period of twelve weeks, from the date of receipt of a copy of this order.

5.With the above observations, this Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

The Regional Transport Officer,
Salem-East,
Salem.

+1cc to the Government Pleader Sr.29180

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WP. No.7176 of 2019

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srg 12/06/2019

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