

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2019

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P. 34733 of 2018

S.Vijayalakshmi

... Petitioner

Versus

The Regional Transport Officer,
Salem West,
Salem.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent herein to receive the application of the petitioner dated 12.12.2018 in Form CCPA and the prescribed fees for the grant of a Autorickshaw permit to operate the vehicle within radius of 30 K.M. Distance from Salem Town Bus Stand and to consider the same.

For Petitioner : Mr.A.Ganesan

For Respondents : Mr. R.Govindasamy
Special Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondent to receive the application seeking for issuance of Autorickshaw permit. Even though the petitioner has filed the application on 12.12.2018, the respondent refused to receive the application without any reason whatsoever.

2. Today, when the matter was taken up for hearing, the learned counsel appearing for the respondent, on instructions, submitted that as per the circular issued by the District Collector, no autorickshaw permit has been issued to anybody, and hence, the Revenue Divisional Officer has refused to receive the application.

3. The learned counsel appearing for the petitioner submitted that there is no statutory prohibition for issuing autorickshaw permit, and now, the respondent cannot

even refuse to receive the application citing the circular issued by the District Collector, which is no way binding on the Regional Transport Officer.

4. Considering the limited prayer sought in the Writ Petition, without going into the merits of the case, the respondent is directed to receive the application and pass suitable orders on merit and in accordance with law within a period of two weeks from the date of receipt of the copy of this order. With the above direction, the present Writ Petition stands disposed of. No costs.

Sd/--

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rpp

To

The Regional Transport Officer,
Salem West,
Salem.

+1cc to Mr.A.Ganesan , Advocate SR.No. 4214
+1 CC TO GOVERNMENT PLEADER SR.NO. 5057

A.SK(25/02/2019)

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