



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD) .Nos.9301 of 2019

and

W.M.P. (MD) .Nos.7307 of 2019

R.Arivuselvam

... Petitioner

Vs.

1) The Regional Transport Authority-cum-
The District Collector,
Madurai.

2) The Secretary,
Regional Transport Authority-cum-
The Regional Transport Officer,
Madurai (North),
Madurai.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to receive the representation cum application dated 11.03.2019 with the prescribed fee for the transfer of the minibus permit from the name of the deceased permit holder to the name of the petitioner in respect of vehicle bearing registration No. TN 58 E 2237 on the route Thirumogur Cross to Rajaji Government Hospital.

For Petitioner : Mr.R.Subramanian
For Mr.S.Govindraman

For Respondent : Mr.N.Shanmugaselvam,
Additional Government Pleader

O R D E R

The instant writ petition has been filed for a Mandamus to direct the respondents to receive the representation cum application dated 11.03.2019 with the prescribed fee for the transfer of the minibus permit from the name of the deceased permit holder to the name of the petitioner in respect of vehicle bearing registration No. TN 58 E 2237 on the route Thirumogur Cross to Rajaji Government Hospital.

2. It is the case of the petitioner that Mrs.K.P.Meenakchi, the permit holder of the aforesaid bus died on 02.04.2016 and he is now in possession of the aforesaid bus. Therefore, according to him, <https://hcservices.ecourtsgov.in/hcservices/> of Mrs.K.P.Meenakchi, he applied for transfer of permit under Section 82 of the Motor Vehicles Act, 1988 and it is his case that the respondents refused to receive the representation



cum application of the petitioner.

3. Learned counsel for the petitioner submits that the respondents cannot refuse to accept the application submitted by the petitioner seeking for transfer of permit. If at all the respondents find that the application is not maintainable, they have to receive the application and after affording an opportunity to the petitioner, can pass final orders regarding the transfer of permit.

4. This Court is in agreement with the submissions made by the learned counsel for the petitioner. Accordingly, the respondents are directed to receive the representation cum application dated 11.03.2019 with the prescribed fee for transfer of mini bus permit from the name of the deceased permit holder to the name of the petitioner in respect of the vehicle bearing Reg No. TN 58 E 2237 on the route of Thirumogur Cross to Rajaji Government Hospital and consider the same on merits and in accordance with law after affording sufficient opportunity to the petitioner within a period of eight(08) weeks from the date of submission of the application for transfer of permit of the petitioner under Section 82 of the Motor Vehicles Act, 1988.

5. With the aforesaid directions, the Writ Petition is disposed of. No costs. Consequently, connected W.M.P.(MD).No.7307 of 2019 is closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1) The Regional Transport Authority-cum-
The District Collector,
Madurai.
- 2) The Secretary,
Regional Transport Authority-cum-
The Regional Transport Officer,
Madurai (North),
Madurai.

+1cc to Mr.S.Govindraman, Advocate, SR.No. 61160

+1cc to M/s.Special Government Pleader,SR.No. 61541

W.P. (MD) .No.9301 of 2019

16.04.2019

STS

KK/SAR/06.05.2019/ 2P- 5C