



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2019

CORAM:

**THE HONOURABLE MR.JUSTICE M.GOVINDARAJ**

**W.P(MD)No.20092 of 2019**

WEB COPY

K.Ramamoorthy

: Petitioner

Vs.

1.The Regional Transport Authority,  
Office of the Regional Transport Office,  
Trichy.

2.The Regional Transport Officer,  
Trichy West, Piratiyur,  
Trichy.

3.The Motor Vehicle Inspector,  
Lalgudi,  
Trichy District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents herein to release the petitioner's vehicle bearing Registration No.KA-01-C-7356 which is now in the custody of the 2<sup>nd</sup> respondent forthwith based on his representation dated 22.07.2019.

For Petitioner

: Mr.K.M.Karunakaran

For Respondents

: Mrs.J.Padmavathi Devi

Special Government Pleader

**ORDER**

The present Writ Petition has been filed seeking a Writ of Mandamus, directing the respondents to release the petitioner's vehicle bearing Registration No.KA-01-C-7356, which is now in the custody of the second respondent forthwith, based on the petitioner's representation dated 22.07.2019.

2. Heard both sides.

3.According the petitioner, the petitioner is an Omni Bus Operator. While operating the bus bearing Registration No.KA-05-AC-0015, it was checked by the third respondent on 13.12.2018 at 11.00 p.m. At that time, the said bus carrying 35 passengers from Trichy to Chennai. The driver of the bus could not produce the original Registration Certificate, Insurance Certificate, Permit, Tax Token for Tamilnadu, Fitness Certificate details, Driving Licence and Pollution Control Certificate etc. On further verification, it is



found that Chassis Number and the Engine Number did not tally with the Registration Certificate and hence, the respondents seized the said bus. In this regard, the petitioner has made a representation to the second respondent, who is the competent authority to go into the matter and to pass appropriate orders.

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4.However, during the pendency of the said representation before the second respondent, the petitioner has approached this Court for releasing of vehicle. It is always open to the petitioner to challenge the orders passed by the respondent. Without waiting for the orders by the competent authority. The petitioner shall not approach this Court. The authority is also bound to pass orders expeditiously.

5.Considering the facts and circumstances of the case, this Court directs the second respondent to consider the petitioner's representation, dated 22.07.2019 and pass orders on merit and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

**Ns**

To

1.The Regional Transport Authority,  
Office of the Regional Transport Office, Trichy.

2.The Regional Transport Officer,  
Trichy West, Piratiyur,Trichy.

3.The Motor Vehicle Inspector,  
Lalgudi,Trichy District.

+1CC TO Mr.K.M.Karunakaran, Advocate, Sr.No.99858  
One cc to Spl.Government Pleader, Sr.No.100342

Order made in

**W. P (MD) No.20092 of 2019**

Dated: 20.11.2019

**SMA/17/12/19/2P/5C**