



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:05.12.2019

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.25909 of 2019

M/s.Thangam Transports,
Rep. By its Proprietor Selvi

... Petitioner

Vs.

1.The Regional Transport Officer,
O/o.Regional Transport Office,
Madurai South,
Madurai.

2.The Motor Vehicle Inspector,
Grade - I, Madurai South,
O/o.Regional Transport Office,
Madurai South,
Madurai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein to release the petitioner's Omni Bus to ply on all roads of entire Tamilnadu covered by vehicle bearing Registration No.NL-01-B-1158, which was kept in first respondent office.

For Petitioner : Mr.T.Padmanabhan
For Respondents : Mrs.J.Padmavathi Devi,
Special Government Pleader

ORDER

Mrs.J.Padmavathi Devi, learned Special Government Pleader takes notice for the respondents.

2. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. This Writ petition has been filed by the petitioner praying for issuance of a Writ of Mandamus, directing the respondents herein to release the petitioner's Omni Bus bearing Registration No.NL-01-B-1158, which was kept in the first respondent's office.

4. It is stated that the vehicle in question was seized by the second respondent on 04.10.2019 on the ground that at the time of inspection, the original tax receipt was not produced. Thereafter,



the petitioner gave her explanation on 22.10.2019 stating that she is willing to pay the outstanding tax with penalty. However, the respondents refused to release the vehicle. Hence, the petitioner has come up with this writ petition.

5. In view of the above, the respondents are directed to consider the explanation submitted by the petitioner dated 22.10.2019 within a period of one week from the date of receipt of a copy of this order and raise a demand on payment of tax etc., and thereafter, on payment of tax by the petitioner, without prejudice to her right of appeal, release the vehicle forthwith.

With the above direction, this writ petition is disposed of.
No Costs.

Sd/-

Assistant Registrar(AS)

// True Copy //

Sub Assistant Registrar(CS)

pm

To:

1.The Regional Transport Officer,
O/o.Regional Transport Office,
Madurai South,
Madurai.

2.The Motor Vehicle Inspector,
Grade - I, Madurai South,
O/o.Regional Transport Office,
Madurai South,
Madurai.

+1CC TO MR.T.PADMANABHAN, Advocate Sr. No. 103513
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 103829

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MA (CO)
TR(09.12.2019) 2P 5C