

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.8201 of 2020

A.Anbazhagan

Petitioner

vs.

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

Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to receive the petitioner's application dated 02.03.2020 in Form PRA with the prescribed fee for the grant of renewal of the contract carriage auto rickshaw permit in respect of vehicle bearing Registration No. TN 05 Q 9252 and to consider the same in accordance with law.

For Petitioner : Mr.R.Subramanian
for Mr.S.Govindraman
For Respondent : Mr.A.Aruldoss
Government Advocate

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondent to receive the application submitted by the petitioner who is seeking for the renewal of the permit for his Auto rickshaw.

2.It is an admitted case of the petitioner that the permit expired in June 2018. The petitioner has submitted the application in the requisite format with the prescribed fees seeking for renewal of the contract carriage Auto rickshaw permit. Since the same was not considered, the present writ petition has been filed seeking for appropriate direction.

3.The learned counsel for the petitioner submitted that even though there is a delay in seeking for the renewal of the permit, Section 81(3) of the Motor Vehicles Act, empowers the respondent to condone the delay where proper explanation is given for the delay.

4.Heard the learned Government Advocate appearing on behalf of the respondent.

5.Taking into consideration the facts and circumstances of the case and after carefully considering the submissions made on either side, there shall be a direction to the respondent to receive the application of the petitioner dated 02.03.2020 in the prescribed format with the prescribed fees and consider the same strictly in accordance with law and take a decision within a period of six weeks from the date of receipt of the resubmission of the application by the petitioner. The petitioner shall resubmit the application along with a copy of this order.

This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

KP

To

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

W.P.No.8201 of 2020

RSV(CO)
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