

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.11060 of 2020

M/s.Ranganathan Motor Service
Rep. by its Partner Mr. V. Ramanathan
No. 11 P.S.C. Bank Nagar Road Mudaliarpet
O.K.Palayam Puducherry. Petitioner

-Vs-

- 1.The Secretary
State of Transport Authority Union
Territory of Puducherry Puducherry
- 2.The Registering Authority
Union Territory of Puducherry Puducherry Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to pass necessary order on the application of the petitioner dated 06.05.2020 for grant of No Objection Certificate for re-registration of the vehicle bearing Regn No. PY01 CT 0673 in the neighbouring state and thus render justice

For Petitioner : Mr.M.Palani

For Respondents : Mr.B.Nambiselvan,
Additional Government Plead
(Puducherry)

O R D E R

This Writ Petition has been filed seeking for the issue of a Writ of Mandamus directing the second respondent to pass necessary orders on the application submitted by the petitioner on 06.05.2020, wherein the petitioner has sought for a No-Objection Certificate in order to re-register his vehicle in the State of Tamil Nadu.

2. The case of the petitioner is that he is a Contract Carriage Operator in Puducherry. The petitioner wanted to shift his operation from Puducherry to Tamil Nadu and therefore he

wanted his permit of the Contract Carriage before the second respondent suspended and it was also accepted. The petitioner made an application in Form No.28 for grant of No-Objection Certificate in order to re-register his vehicle in Tamil Nadu. This is a pre-requisite as per Section 47 of the Motor Vehicles Act. The grievance of the petitioner is that his application has not been considered by the second respondent till date and the petitioner has also made subsequent representation and the same did not evoke any response. Left with no other alternative, the present writ petition has been filed before this Court seeking for appropriate direction.

3. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the second respondent to pass necessary orders on the application submitted by the petitioner on 06.05.2020, wherein the petitioner has sought for a No-Objection Certificate, strictly in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with a copy of the application dtd 06.05.2020 and a copy of this order.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Secretary
State of Transport Authority Union
Territory of Puducherry

2.The Registering Authority
Union Territory of Puducherry Puducherry

+1cc to Government Pleader, High Court, Madras-104(sr no.27742)

W.P.No.11060 of 2020
2/2

RSK (CO)
RV(02/09/2020)