

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2020

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Writ Petition No.15055 of 2020

(Through Video Conferencing)

M.Kumar

... Petitioner

vs

1. The Regional Transport Officer,
Regional Transport Office,
Hosur, Krishnagiri District.
2. The Motor Vehicle Inspector Grade-I,
Enforcement Wing,
DTC Office, Vellore 632 009.
3. The Inspector of Police,
Sipcot Police Station,
Hosur, Krishnagiri District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to release the passenger bus namely " Ashok Leyland & Viking ALPSV Bus" bearing Reg.No.KA.51 D 5769 to the petitioner within the time to be stipulated by this Court based on the representation dated 14.09.2020.

For Petitioner : Mr.R.Bharath Kumar
For Respondents : Mr.S.Thangavel
Spl.Govt.Pleader

O R D E R

By consent, the writ petition is taken up and disposed of at the admission stage itself.

2. This Writ Petition has been filed for issuance of a writ of Mandamus, to direct the respondents to release the passenger bus namely " Ashok Leyland & Viking ALPSV Bus" bearing Reg.No.KA.51 D 5769 to the petitioner based on the representation dated 14.09.2020.

3. The brief facts of the case is that the petitioner is the registered owner of the bus bearing Reg.No.KA.51 D 5769. He was permitted to ply throughout Karnataka vide permit dated 18.06.2018 No.STA-6/CC/BUS/100/2018-2019 and the same was valid from 25.07.2018 to 24.07.2023. The petitioner's driver drove the bus carrying migrant labours from Hosur to Bangalore and the said vehicle was seized on 25.08.2020 for want of Fitness Certificate and permit etc,. In this regard, the petitioner has made a representation to the respondents on 14.09.2020 to the respondents. Since, no action has been taken on the said representation, the petitioner has come forward with the present writ petition seeking for the aforesaid relief.

4. I have considered the arguments of the learned counsel for the petitioner and the respondents.

5. Considering the submissions made on either side and the limited prayer sought for in this writ petition, this Court directs the respondents 1 to 3, to consider the representation dated 14.09.2020 of the petitioner and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of this order.

6. This writ petition stands disposed with the above observation. No cost.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kkd

To

- 1.The Regional Transport Officer,
Regional Transport Office,
Hosur, Krishnagiri District.
- 2.The Motor Vehicle Inspector Grade-I,
Enforcement Wing,
DTC Office, Vellore 632 009.
- 3.The Inspector of Police,
Sipcot Police Station,
Hosur, Krishnagiri District.

+1cc to Mr.R.Bharath kumar, Advocate, sr no.34876

+1cc to The Government Pleader, Sr.no.34818

W.P.No.15055 of 2020

RSV(CO)

RMP(24/11/2020)