



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P.(MD)No.15611 of 2019

Ramesh

... Petitioner

Vs.

1.The Regional Transport Officer,
Melur, Madurai District.

2.The Vehicle Inspector Gr.1,
Unit Office, Melur,
Madurai District.

3.The Inspector of Police,
Melur Police Station,
Madurai District.

... Respondents

(Respondent No.3 impleaded vide order dated 19.08.2019)

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned communication in Na.Ka.No.xxxx/A1/19 dated 21.05.2019 passed by the second respondent and quash the same as illegal and consequently to direct the second respondent to issue the fitness certificate on payment of necessary fee to the vehicle bearing Reg.No.TN 75 E 4668 belongs to the petitioner.

For Petitioner : Mr.B.Stalin

For Respondents : Mr.S.Angappan

Government Advocate

O R D E R

Heard Mr.B.Stalin, learned counsel for the petitioner and Mr.S.Angappan, learned Government Advocate for the respondents.

2. The petitioner had purchased the petition mentioned vehicle from the previous owner. It appears that the vehicle was involved in an accident and a criminal case was also registered. As a result, the vehicle was black-listed. The criminal case is said to be pending. The petitioner applied to the respondents for issuance of fitness certificate. Since the respondents have rejected the petitioner's request, he had filed the present writ petition.

3. I am not able to understand the stand of the respondents.

If the vehicle is involved in an accident, the vehicle cannot be



black-listed. It is the driver, who had driven the vehicle, who has to be black-listed.

4. Be that as it may, the learned Government Advocate, on written instructions, states that if the petitioner approaches the respondents again and remits the necessary fee, the fitness certificate sought for by him will be issued without any delay.

5. Recording the said statement, this writ petition is disposed of with a direction to the respondents to issue the fitness certificate to the petitioner. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Regional Transport Officer,
Melur, Madurai District.
- 2.The Vehicle Inspector Gr.1,
Unite Office, Melur,
Madurai District.
- 3.The Inspector of Police,
Melur Police Station,
Madurai District.

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