



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2020

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P (MD) No.17245 of 2020

and

W.M.P. (MD) .Nos.14431 & 14433 of 2020

WEB COPY

M.Selvaraj

... Petitioner

Vs

1.The Regional Transport Authority / District Collector,
Trichy, Trichy District.

2.The Regional Transport Officer,
Regional Transport Office,
Srirangam, Trichy,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the first respondent in his proceedings in R.No.30774/B1/2013 dated 13.02.2019 and quash the same as illegal and consequentially to direct the first respondent to restore the application for grant of fresh permit made on 17.01.1994 for the route "Court to Deerampalayam Via., Government Hospital, Thillainagar, Chatram Bus Stand, Toll gate Nochiyam and Manachanallur" and renew the permit for the subsequent period within the period that may stipulated by this Court.

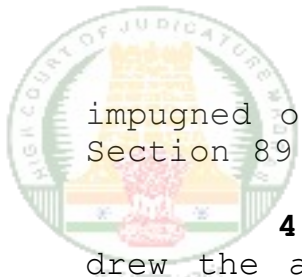
For Petitioner : Mr.M.Ajmal Khan
Senior Counsel
For M/s.Ajmal Associates
For Respondents : Mr.C.Ramesh
Special Government Pleader

O R D E R

This writ petition has been filed challenging the order dated 13.02.2019 passed by the first respondent rejecting the petitioner's application for grant of permit and also for renewal of permit for the route from "Court to Deerampalayam Via., Government Hospital, Thillainagar, Chatram Bus Stand, Toll gate Nochiyam and Manachanallur".

2. Heard Mr.M.Ajmal Khan, learned Senior counsel for M/s.Ajmal Associates for the petitioner and Mr.C.Ramesh, learned Special Government Pleader for the respondents.

3. The primary ground for challenge raised by the petitioner is that he has not received the certified copy of the



impugned order to enable him to prefer the statutory appeal under Section 89 of the Motor Vehicles Act.

4. The learned Senior counsel appearing for the petitioner drew the attention of this Court to the impugned order and would point out that the order received by the petitioner is only a photocopy and it is an un-signed copy. Therefore, according to him, the petitioner was unable to prefer the statutory appeal.

5. This Court directed the learned Special Government Pleader to produce a copy of the impugned order. As per the direction issued by this Court, the copy of the impugned order was placed before this Court and a copy of the same was also given to the learned Senior counsel for the petitioner.

6. On perusing the same, the learned Senior counsel for the petitioner would submit that the xerox copy of the impugned order received by the petitioner and the xerox copy of the order produced before this Court are having some differences. In such circumstances, he seeks for a direction from this Court to the first respondent to issue a certified copy of the impugned order dated 13.02.2019 to the petitioner to enable him to prefer the statutory appeal under Section 89 of the Motor Vehicles Act.

7. This Court is of the considered view that no prejudice will be caused to the respondents if a fresh certified copy of the impugned order is given to the petitioner.

8. Without going into the merits of the case, this Court directs the first respondent to issue a certified copy of the order dated 13.02.2019 passed by the first respondent to the petitioner, within a period of one week from the date of receipt of a copy of this order. However, it is made clear that, it is for the petitioner to work out his remedy in accordance with law, if aggrieved by the impugned order dated 13.02.2019 passed by the first respondent, before the appropriate statutory appellate authority under the Motor Vehicles Act.

9. With the aforesaid direction, the Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



1.The Regional Transport Authority / District Collector,
Trichy, Trichy District.

2.The Regional Transport Officer,
Regional Transport Office,
Srirangam, Trichy,
Trichy District.

+1 CC to M/s.SPL GP (SR-24309[F] dated 07/12/2020)

W.P (MD) No.17245 of 2020
03.12.2020

TP (CO)
KB(17.12.2020) 3P 4C