



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2021

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.16423 of 2019

C.Kumaradhas

... Petitioner

-Vs-

1.The Regional Transport Authority cum The District Collector,
Kanyakumari District,
at Nagercoil.

2.The Regional Transport Officer,
Marthandam,
Kanyakumari District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to permit the petitioner to fix the tipper facility in the Mini Truck Vehicle bearing Reg.No.TN 75 AH 1645 in order unload the materials carried in the vehicle by considering the representation of the petitioner dated 14.06.2019 within a time frame that may be fixed by this Court.

For Petitioner : M.S.C.Herold Singh

For Respondents : Mr.M.Rajarajan
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2.The petitioner is the owner of the petition mentioned vehicle. He wants to install the hydraulic facility, so that, the vehicle will have a tipper facility also.

3.The specific case of the petitioner is that alteration in the motor vehicle will not in any way violate Section 52 of the Motor Vehicles Act, 1982. However, the said provision requires prior approval of the registering authority. Though the petitioner has given a representation in this regard, the second respondent is yet to consider the same.



4. Therefore, the second respondent is directed to pass orders on the petition mentioned representation within a period of three weeks from the date of receipt of a copy of this order. The Writ Petition is disposed of on these terms. No costs.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

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 Authority cum The District Collector,
Kanyakumari District,
at Nagercoil.

2.The Regional Transport Officer,
Marthandam,
Kanyakumari District.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-6339[F] dated
22/02/2021)

+1 CC to M/s.SPL GP (SR-6422[F] dated 22/02/2021)

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19/02/2021

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