



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.05.2022

CORAM:

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P.No.12111 of 2022
and
W.M.P.No.11544 of 2022

R.Nagarajan

... Petitioner

Vs.

1. The State Transport Authority
Chepauk, Chennai-600 005.

2. The Joint Transport Commissioner (Rules)
Office of the Transport Commissioner
Chepauk, Chennai-600 005.

3. The Regional Transport Officer
Salem West, Salem District.

... Respondents

Prayer: Writ petition filed under Section 226 of the Constitution of India, seeking to issue a Writ of Mandamus, directing the respondents to consider the application submitted by the petitioner in Form SPR Part A for stoppage of the petitioner's vehicle bearing Registration No.TN-30 BR 8011 and TN 30 BR 8075 for the period from 01.01.2022 to till date, and thereby permit the petitioner to ply the vehicle by paying the tax from the period i.e from 01.05.2022 to 30.06.2022 by without insisting the tax for the earlier peroid.

For Petitioner : Mr.A.Ganesan

For Respondent : Ms.Rajarajeswari
Government Advocate

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.



2. The case of the petitioner in brief:

The petitioner is the Managing Partner of the Contract Carriage Vehicles bearing Registration Nos. TN - 30 - BR 8011 and TN -30-BR 8075, and the said vehicles are covered by permits issued by the 1st respondent. Due to pandemic and the restrictions on travel imposed by the Government, the petitioner had stopped plying the vehicles from 01.01.2022. Thereafter, he informed the authorities about the stoppage and had submitted the necessary permission to stop the vehicles at the appropriate time. The petitioner submitted application for the continued stoppage of the vehicles in Form SPR Part A on 31.12.2021 and the said application was duly received by the office of the 1st and 2nd respondents on the same day. But, till date, SPR Part A applications dated 31.12..2021 have not been considered by the respondents and no reply was received till date. The operation of contact carriage bus is totally dependent on the demand from the travelling public. Travel by public had got reduced to a substantial extent for more than a year. This Court has already admitted similar writ petitions in W.P No.3289 of 2022 and 1955 of 2022 and directed the respondents office to receive the Motor Vehicle tax in respect of the petitioner vehicle and allow to ply the buses of the petitioner pending disposal of the writ petition. The petitioner sent a representation to the 2nd respondent on 21.04.2022 to accept the current tax of the petitioner's vehicle and permit to operate from the month of May 2022. But, the same was not considered till date. Hence, the petitioner filed this instant writ petition before this Court.

3. The learned counsel appearing for the petitioner would submit that it would suffice if a direction is passed to the respondents to consider the representation of the petitioner dated 21.04.2022, within a reasonable time as fixed by this Court.

4.The learned Government Advocate appearing for the respondents would submit that the petitioner's representation dated 21.04.2022 is pending with the respondents and the same will be considered on merits and in accordance with law.

5. Inview of the above submission and also considering the limited scope of prayer, without expressing any opinion on merits, this Court is inclined to direct the respondents to consider the petitioner's representation dated 21.04.2022 and pass orders on its own merits and in accordance with law, as expeditiously as possible, within a period of fifteen days from the date of receipt of a copy of this order.



6. With the above direction, this writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

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Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

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To

1. The State Transport Authority
Chepauk, Chennai-600 005.
2. The Joint Transport Commissioner (Rules)
Office of the Transport Commissioner
Chepauk, Chennai-600 005.
3. The Regional Transport Officer
Salem West, Salem District.

+1cc to the Government Pleader, S.R.No. 31318

[30/05/2022]

W.P.No.12111 of 2022
and
W.M.P No.11544 of 2022

SV(CO)
GMY(10/05/2022)



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