



WEB COPY



W.P. No. 21350 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 21350 of 2017

and

W.M.P. No. 22281 of 2017

A.Paulraj

... Petitioner

-VS-

1. The Regional Transport Authority (In Charge),
Dharmapuri.

2. The Regional Transport Officer,
Dharmapuri.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order of the First Respondent vide proceedings in R. No. 13351/A2/2015 dated 21.07.2017, quash the same and further to direct the Respondents to consider the Petitioner's request for the grant of contract carriage Maxicab permits in respect of the Tata Magic vehicles bearing Registration Nos. (i) TN 25 K 7468, (ii) TN 04 AB 7861, (iii) TN 05 AH 4720, (iv) TN 73 Y 4339 and (v) Vehicle bearing Chassis No. MAT 4451129VJ37442.

For Petitioner : Mr. A.Ganesan



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For Respondents : Mr. P.Balathandayutham,
Special Government Pleader

ORDER

Heard Mr. A.Ganesan, Learned Counsel for the Petitioner and Mr. P.Balathandayutham, Learned Special Government Pleader appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. When it was pointed out that the Petitioner has got an effective alternative remedy to challenge the Order in R. No. 13351/A2/2015 dated 21.07.2017 passed by the First Respondent, which is impugned in this Writ Petition, by filing appeal under Section 89 of the Motor Vehicles Act, 1988, before the State Transport Appellate Tribunal, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition with liberty to resort to the aforesaid procedure and he has made an endorsement to that effect in the court record.



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In view of the same, the Writ Petition is dismissed as withdrawn, granting such liberty. It is made clear that for the purpose of reckoning limitation for availing the aforesaid remedy, the period from the date of filing of the Writ Petition, viz., 08.08.2017, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. Consequently, the connected Miscellaneous Petition is closed. No costs.

02.11.2022

vjt

Index: Yes/No

Note: (i) Issue order copy by 16.11.2022

(ii) Registry is directed to return the impugned order under written acknowledgment after retaining a copy of the same for record.

To

1. The Regional Transport Authority (In Charge),
Dharmapuri.
2. The Regional Transport Officer,
Dharmapuri.



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P.D. AUDIKESAVALU, J.

vjt

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