



W.A.No.2527 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.A.No.2527 of 2022

C.Ramachandran

.. Appellant

vs

1.The Union of India,
rep. by its Secretary,
Ministry of Road Transport and Highways,
New Delhi.

2.The Secretary to Government,
Transport Department,
St. George Fort,
Secretariat, Chennai-600 009.

3.The Transport Commissioner-cum-
State Transport Authority,
Ezhilagam, Chepauk,
Chennai-600 005.

4.The Motor Vehicles Inspector,
Grade-I, Regional Transport Office,
Salem East, Salem.

5.The Regional Transport Officer,
Salem East, Salem.

.. Respondents



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Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 18.08.2022 passed in W.P.No.12649 of 2022.

For the Appellant : Mr.R.Natesan

For the Respondents : Mrs.R.Anitha
Spl. Government Pleader

JUDGMENT

(Delivered by the Hon'ble Acting Chief Justice)

This writ appeal is directed against the order dated 18.8.2022 passed in W.P.No.12649 of 2022, wherein the learned Single Judge directed the appellant/petitioner to give his reply to the notice within a period of 15 days from the date of receipt of a copy of the said order and directed the fifth respondent, upon receipt of the reply, to adjudicate and dispose of the demand notice dated 8.6.2022 issued to the appellant in the light of the observation made in the order within a period of 30 days from the date of receipt of a copy of the said order.

2. Learned counsel appearing for the appellant submitted that although reply has been given by the appellant, no order has been



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passed thereon till date. Learned counsel would submit that the vehicle in question was seized on 13.4.2022 and is exposed to sun and rain and, therefore, a direction may be given to the respondent authorities to pass a final order on the reply submitted by the appellant within a reasonable time.

3. We find some merits in the said submission made by learned counsel for the appellant. Since the vehicle in question was seized on 13.4.2022 and kept in open place, naturally, it would be exposed to sun and rain leading to wear and tear of the vehicle.

4. Since the appellant has submitted his reply and the same has not been considered by the respondent authorities till date, we hereby direct the concerned respondent to consider and dispose of the reply of the appellant on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.



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5. With the above observation and direction, the writ appeal is disposed of. There will be no order as to costs. Consequently, C.M.P.No.19859 of 2022 is closed.

(T.R., ACJ.) (D.K.K., J.)
21.11.2022

Index : Yes/No

Note to Registry:

Issue order copy on 28.11.2022

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To:

- 1.The Secretary,
Union of India,
Ministry of Road Transport and Highways,
New Delhi.
- 2.The Secretary to Government,
Transport Department,
St. George Fort, Secretariat, Chennai-600 009.
- 3.The Transport Commissioner-cum-
State Transport Authority,
Ezhilagam, Chepauk, Chennai-600 005.
- 4.The Motor Vehicles Inspector,
Grade-I, Regional Transport Office,
Salem East, Salem.
- 5.The Regional Transport Officer, Salem East, Salem.



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T.RAJA, ACJ.
AND
D.KRISHNAKUMAR,J.

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21.11.2022