



WEB COPY



W.P.No.33959 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.33959 of 2022

P.R.Venkatraman

...Petitioner

Vs.

The Transport Commissioner
Chepauk, Chennai-600 005

... Respondent

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified mandamus to call for the records relating to the letter bearing Na.Ka.No.42694/A6/2022 dated 23.11.2022 issued by the respondent and quash the same and consequently direct the respondent herein to receive the petitioner's application dated 31.10.2022 in PRA form along with demand draft in respect of Vehicle No.TN-30-BB-4455 in accordance with the provisions of Motor Vehicles Act.

For Petitioner : Mr.A.Ganesan

For Respondent : Mrs.R.Anitha, Spl.Govt.Pleader

ORDER



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Writ Petition has been filed praying to issue a Writ of Certiorarified mandamus to call for the records relating to the letter bearing Na.Ka.No.42694/A6/2022 dated 23.11.2022 issued by the respondent and quash the same and consequently direct the respondent herein to receive the petitioner's application dated 31.10.2022 in PRA form along with demand draft in respect of Vehicle No.TN-30-BB-4455 in accordance with the provisions of Motor Vehicles Act.

2. According to the petitioner his omni bus permit was about to expire on 23.11.2022 and he filed an application for renewal on 09.11.2022, instead of considering the same, the same has been returned.

3. In such view of the matter, he is not in a position to file an appeal against that order. The renewal application has to be decided on merits cannot be returned simply. Hence, seeks a direction.

4. Mrs.R.Antiha, learned Special Government Pleader, takes notice for the respondent.



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5. As the petitioner filed an application for renewal of omni bus permit, the authority has to decide whether the renewal to be done or not on merits and cannot simply return the application. Accordingly, the order returning the petitioner's application is set aside and the respondent is directed to consider his application on merits and pass orders whether to renew or not.

6. With the above observation, the Writ Petition is dispose of. There shall be no order as to costs.

19.12.2022

kpr
Internet:Yes
Speaking/non-speaking order

To
The Transport Commissioner
Chepauk, Chennai-600 005



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N. SATHISH KUMAR, J.

kpr

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