



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2022

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**W.P(MD)No.14744 of 2020**

Daniel Perinbaraj

... Petitioner

vs.

- 1.The Commissioner of Police,  
Madurai City.
- 2.The Deputy Commissioner of Police,  
Traffic Investigation Wing,  
Madurai City.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the 1<sup>st</sup> respondent to dispose of the petitioner's representation dated 01.09.2020 and to direct the Traffic Police in Madurai City not to harass the petitioner's vehicle TATA Magic Express 8 Seater BSIV Vehicle bearing registration No.TN 64 T 9187 unwarrantedly.

For Petitioner

: Mr.T.A.Ebenezer

For Respondents

: Mr.T.Senthil Kumar

Additional Public Prosecutor

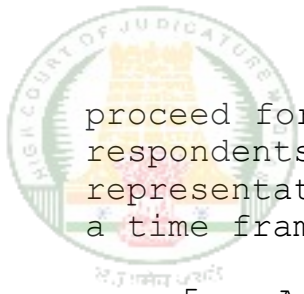
**ORDER**

This writ petition has been filed seeking direction to the 1<sup>st</sup> respondent to dispose of the petitioner's representation dated 01.09.2020.

2. The case of the petitioner is that he is running a Paper Industry and for carrying labourers from one place to another, for which, he purchased a Tata Magic Express 8 Seater BSIV Vehicle bearing registration No.TN 64 T 9187. The grievance of the petitioner is that the Traffic Police are frequently stopping the said vehicle and imposing fine on the ground of overload and over speed. Hence, the petitioner made a representation dated 01.09.2020 in this regard to the 1<sup>st</sup> respondent in person. Since no order has been passed thereon, the petitioner has filed this writ petition.

3. The learned Additional Public Prosecutor submits that the has been charged for not wearing seat-belt and also for over speed and he has admitted the guilt and paid the fine amount also.

4. If the petitioner's vehicle is used as a commercial vehicle, carrying heavy load as against the permit, it is well open to the authorities including the motor vehicle authorities to



proceed for violations. There is no permit violations cited by the respondents. Therefore, it is suffice if the petitioner's representation dated 01.09.2020 is directed to be disposed of within a time frame.

5. Accordingly, the 1<sup>st</sup> respondent is directed to consider the petitioner's representation dated 01.09.2020 and pass appropriate orders on merits and in accordance with law within a period of two months from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Commissioner of Police,  
Madurai City.
- 2.The Deputy Commissioner of Police,  
Traffic Investigation Wing,  
Madurai City.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

ORDER MADE IN  
W.P(MD)No.14744 of 2020  
DATED : 02.03.2022

ims(CO)  
TR(17.03.2022) 2P 4C