



Writ Petition No.68 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 4/1/2023

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Writ Petition No.68 of 2023

a n d

W.M.P.Nos.52 and 53 of 2023

Haven Infra Projects & Power Limited
rep. By its Chief Executive Officer
Mr.D.R.Jayakothandaraman
37 Vallalar Street, Poonamallee
Chennai 600 056.

...

Petitioner

Vs

The Regional Transport Authority
TN12 Poonamallee
Chennai 56.

...

Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorari to call for the records relating to the order, dated 28/12/2022, passed by the respondent with respect to the petitioner's vehicle Ashok Leyland Ecomet 1615 HE 4200/CBC/20 ft truck bearing Nos.TN-12-AU-2039, thereby blacklisting the petitioner's vehicle and quashing the same as null and void.

For Petitioners

...

Mr.P.Raja

For respondent

...

Mr.Karthik Jeganathan
Government Advocate



ORDER

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By consent, the writ petition has taken up for final disposal.

2. This writ petition has been filed to quash the order, dated 28/12/2022, passed by the respondent with respect to the petitioner's vehicle Ashok Leyland Ecomet 1615 HE 4200/CBC/20 ft truck bearing Nos.TN-12-AU-2039.

3. The case of the writ petitioner is that the petitioner has acquired 15 transport vehicles bearing Registration Nos.TN12-AU-2039, TN-12-AU-2164, TN-12-AU-2052, TN12-AU-2136, TN-12-AU-1300, TN-12-AU-1272, TN-12-AU-1294, TN-12-AR-3420, TN-12-AR-3429, TN-12-AR-3151, TN-12-AR-3105, TN-12-AR-3114, TN-12-AT-3439, TN-12-AT-3470 and TN-12-AT-3422. They also obtained permit from the respondent to transport goods with RLW weight of 12800 kgs., which is clearly mentioned in the GOODS permit issued by the respondent to the said vehicles, after satisfying the relevant records and materials.

4. All of a sudden, the respondent officials, passed an order, dated



29/12/2022, thereby, blacklisted the petitioner's vehicle ASHOK Leyland Ecomet 1615 HE 4200/CBC/20 ft Truck, bearing No.TN-12-AU-2039.

Being aggrieved, the petitioner has come forward with the instant writ petition, praying for the relief, as stated therein.

5. Heard Mr.P.Raja, learned counsel for the petitioner and Mr.Karthik Jeganathan, learned Government Advocate for the respondent.

6. Mr.Karthik Jeganathan, learned Government Advocate appearing for the Transport Authority submitted that instead of granting permission to transport goods with Gross weight of vehicle with 16500 kgs, they had granted 18500 kgs, which is contrary to the Motor Vehicles Act. Therefore, to set right the above error, the petitioner was asked to produce permit and R.C book. If the petitioner produces the permit and R.C.Book, the respondents will correct the erroneous entries and issue fresh permit.

7. Learned counsel appearing for the petitioner submitted that since the vehicle is plying in a far away place, they will submit the same, within a period of one week from today.

N.SATHISH KUMAR,J



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8. In such a view of the matter, the petitioner is directed to produce permit and R.C book pertaining to the vehicle Ashok Leyland Ecomet 1615 HE 4200/CBC/20 ft Truck, bearing No.TN-12-U-2039, before the respondent, within a period of one week, from today. On receipt of the same, the respondent is directed to do the needful and issue fresh permit in respect of the goods permit (Goods permit – public carrier), forthwith.

9. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

4/1/2023

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Index : Yes / No

Internet: Yes

Speaking/non speaking order

Neutral Citation: Yes/No

To

The Regional Transport Authority
TN12 Poonamallee, Chennai 56.

W.P.No.68 of 2023