



W.P.No.1147 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 1.2.2023

CORAM

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

W.P.No.1147 of 2023

Bharatha Matha Vikram Tempo Urimaiyalar
Nala Sangham Rep. by its Secretary,
No.200, Jegathambal Complex,
Ground Floor, Kamarajar Road,
Saaram, Puducherry.

...

Petitioner

Vs.

The Commissioner,
Regional Transport Office Puducherry

...

Respondent

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, direct the respondent to review the renewal of contract carriage permit given to the owners of the contract carriage since January 2022 and cancel the same only in so far as permit given as All Motorable Roads in the U.T. of Puducherry instated of renew their existing route permit within a stipulated time and take appropriate action against the officials who have indulged in such corrupt practice in renewal of permit considering the petitioner's representation dated 8.12.2022

For Petitioner : Mr.P.R.Thiruneelakandan
For Respondent : Mr.Nirmal Kumar, G.A.



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ORDER

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The petitioner Association seeks cancellation of contract carriage permit given in so far as the permit given as "All Motorable Roads" in the U.T. of Puducherry to some of the permit holders and renew their existing route permit within a stipulated time.

2. The case of the petitioner is that the petitioner association are the owners of contract carriage and they were issued contract carriage permit by the respondent under Sec.66 of the Motor Vehicle Act and the Pondicherry Motor Vehicles Rules, 1989. While issuing the contract carriage permit, the route was prescribed in the permit itself and the owners of the vehicle should ply their contract carriage only in the permitted route and the same is also incorporated in the route permit itself as one of the conditions. However, some of the contract carriage owners who have renewed their contract carriage permit, they get renewal of route permit throughout Pondicherry instead of renewal of their existing route permit. Therefore, the members of the association and other similar persons approached the respondent and submitted a written objections dated 8.12.2022 and requested the respondent to cancel the permit in so far as the permit given as "All Motorable Roads" throughout the U.T. of Puducherry to some of the permit holders. However, no action has been taken against the officials who involved in the corrupt practice while renewing their permit. Under these



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circumstances, the petitioner association has filed the instant writ petition before this Court for the aforesaid relief.

2. Counter affidavit has been filed by the respondent wherein the respondent while admitting that contract carriage permit was restricted only certain areas, it is stated that while renewing contract carriage permit, due to technical snag in the "VAHAN" software, introduced by the Government of India, which automatically generates the expression "all the motorable roads of UT of Puducherry" instead of specifically stating the routes in which the owners of vehicles are originally permitted to ply their vehicles. After realising the mistake in the software, the respondent issued notice dated 3.1.2023 directing the permit holders to produce original permits to manually rectify their mistakes and notice has also been issued in this regard. Out of 126 permit holders, 62 permits have been manually rectified and 6 permits are under process of rectification, notice sent to 42 permit holders were returned unserved and rest of them who have not responded to the notice, they are taking steps to serve the notice on them and take follow up action.

3. The grievance of the petitioner is only with regard to the mistake committed while issuing contract carriage permit, as the mistake occurred due to technical snag of new software viz., "VAHAN" introduced by the Government of



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India. The respondent taking note of the mistake, issued notice and rectified the same manually. The members of the petitioner association and others who are affected by such renewal also to produce their original permits to the concerned authorities for making necessary rectification in the original permits.

4. Such view of the matter, the writ petition stands disposed off. No costs.

1.2.2023

Speaking/Non Speaking order

Neutral citation: Yes/No

Index: Yes/No

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To

The Commissioner, Regional Transport Office Puducherry



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N.SATHISH KUMAR, J.

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