



W.P.(MD).No.18345 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.18345 of 2023

C.Kannagi

... Petitioner

Vs.

The Regional Transport Officer,
Palani,
Dindigul District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to receive the application of the petitioner dated 28.06.2023 for replacing the existing vehicle bearing Registration No.TN-57AR-5775, plying on the route Palani to Madurai, by new model vehicle of the year 2023.

For Petitioner : Mr.M.Palani

For Respondent : Mr.B.Saravanan,
Additional Government Pleader.



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ORDER

This Writ Petition is filed for Mandamus, directing the respondent to receive the application of the petitioner dated 28.06.2023 for replacing the existing vehicle bearing Registration No.TN-57AR-5775, plying on the route Palani to Madurai, by new model vehicle of the year 2023.

2. The respondent is not entertaining the application by citing the interim order of status quo granted in the review application filed by the petitioner. In the review application, the petitioner has raised jurisdiction of Regional Transport Officer, Palani. The subject matter in the review application is different. In the present case, the petitioner is seeking to replace the vehicle and the respondent is mixing up the issue.

3. Similar issue was considered by the Hon'ble Division Bench of this Court vide order dated 25.08.2010 in W.A.(MD)No.39 of 2010 in the case of *R.Chandrakala Vs. RTO, Dindigul*.

4. Therefore, this Court directs the respondent to entertain the application without referring to the review application. The respondents are directed to



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consider and pass orders in the light of the judgment passed in Writ Appeal, W.A.(MD)No.39 of 2010. The said exercise shall be completed within a period of one (1) week from the date of receipt of a copy of this order.

5. In view of the above, this Writ Petition is allowed. There shall be no order as to costs.

28.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr

Note: Issue Order Copy on 31.07.2023.

To

The Regional Transport Officer,
Palani,
Dindigul District.



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S.SRIMATHY, J.

Nsr

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