



WEB COPY



W.P. No. 7171 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 7171 of 2024

M.Rajeswari

... Petitioner

-VS-

1. Union of India
Rep. by its Chief Secretary
Pondicherry - 605 001.

2. The Commissioner
Transport Department
100 Feet Road, Mudaliarpet
Pondicherry - 605004.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent, the Commissioner, Transport Department, Pondicherry, to consider Petitioner representation dated 10.01.2024 within a fixed time frame.

For Petitioner : Mr. B.Kumar, Senior Counsel
for M/s. Usha Ramman

For Respondents : Mr. M.Nirmal Kumar
Government Advocate (Puducherry)



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ORDER

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Heard Mr. B.Kumar, Learned Senior Counsel assisted by Mrs. Usha Ramman, Learned Counsel for the Petitioner and Mr. M.Nirmal Kumar, Learned Government Advocate (Puducherry) who takes notice for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that she had made a representation dated 10.01.2024 seeking a direction to the Second Respondent for granting permission to run New Four Wheeler Tata Majestic in lieu of Bijilee Battery operated vehicle in her name in the route already granted, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the merits of the controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 10.01.2024 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;



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- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 10 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard; and
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated under written acknowledgment.

In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

22.03.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 02.04.2024.

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P.D. AUDIKESAVALU, J.

Maya

To

1. The Chief Secretary
Union of India
Pondicherry - 605 001.
2. The Commissioner
Transport Department
100 Feet Road, Mudaliarpeth
Pondicherry - 605004.

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