



WEB COPY



W.P.No.17721 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.17721 of 2020
and W.M.P.No.21962 of 2020

V.Tamilarasan

... Petitioner

-Vs-

The Regional Transport Officer,
Salem (East),
Regional Transport Office,
Salem - 636 140,
Salem District.

... Respondent

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order passed by the respondent in his proceedings Na.Ka.No.19251/E3/2020, dated 07.10.2020 and quash the same and consequently directing the respondent to renew the petitioner's Auto Rickshaw permit bearing Registration No. TN-30-AH-0480.

For Petitioner : Mr.C.Prakasam
For Respondent : Mr.V.Manoharan
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the proceedings dated 07.10.2020, thereby rejected the request made by the petitioner to



W.P.No.17721 of 2020

renew the permit for his auto rickshaw bearing Registration No. TN-30-AH-0480.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner owned an auto richshaw bearing Registration No.TN-30-AH-0480. The petitioner obtained permission to operate the vehicle and it got expired on 14.10.2019. Due to his illness and also due to COVID-19 pandamic circumstances, he failed to renew the permit in time. He approached the respondent on 30.09.2020 and submitted an application for renewal of his permit. However, it was rejected on the ground that the reasons stated by the petitioner for delay in submitting the application for renewal of permit cannot be accepted and also there is a ban for issuing new permit.

4. A perusal of the District Gazette Bulletin of Salem District, there is a ban for issuing new permit for auto rickshaw under Rule 163 of the Tamil Nadu Motor Vehicles Rules. Admittedly, the petitioner was granted permission and on expiry, the petitioner failed to



W.P.No.17721 of 2020

renew the same. Therefore, the said ban is not applicable to the case of the petitioner, since the petitioner applied for renewal of permit with delay. That apart, the petitioner was not able to submit his explanation for renewal in time for the reason that he fell ill due to COVID-19.

5. Considering the facts and circumstances of the case, the respondent is directed to pass a fresh order on the application submitted by the petitioner for the renewal of a permit for his auto rickshaw bearing Registration No.TN-30-AH-0480, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed.
No costs.

14.10.2024

Internet : Yes
Index : Yes/No
Speaking order/Non-speaking order
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W.P.No.17721 of 2020



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W.P.No.17721 of 2020

G.K.ILANTHIRAIYAN, J.

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To

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Salem (East),
Regional Transport Office,
Salem - 636 140
Salem District.

W.P.No.17721 of 2020

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