



WEB COPY

W.P.No.20264 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2024

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.20264 of 2024

B.Narayanamoorthy

...

Petitioner

vs

Registering Authority
Transport Department
Puducherry.

...

Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondent herein to consider and pass orders on the petitioners application dated 14.02.2024 and 08.06.2024 u/s.48(4) of the Motor Vehicle Act 1988 for the issue of NOC to register the petitioner's omni bus PY01-CR-7575 in Tamil Nadu State.

For Petitioner : Mr.K.Hariharan

For Respondent : Mrs.G.D.Jearany, Govt Adv (Pdy)

ORDER

This Writ Petition has been filed praying for issuance of a Writ of Mandamus to direct the respondent herein to consider and pass orders on the petitioners application dated 14.02.2024 and 08.06.2024 u/s.48(4) of the



Motor Vehicle Act 1988 for the issue of NOC to register the petitioner's
omni bus PY01-CR-7575 in Tamil Nadu State.

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2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondent and perused the materials available on record.

3. It is the grievance of the petitioner that the petitioner's vehicle was on a tour in Tamil Nadu on 28.08.2019, the vehicle met with a major accident at Kondalampatti, Salem District, to carry out the repair the vehicle was garaged at Karur. The vehicle could not be repaired due to covid pandemic. The FC for the vehicle expired on 15.10.2022 and the permit got expired on 30.11.2022 and the vehicle is not in operation on any public road from 28.08.2019 to till date. The petitioner decided to operate the vehicle in Tamil Nadu and on 14.02.2024 and 08.06.2024 he applied for NOC in Form-28 requesting the respondent to issue NOC with tax clearance certificate to register at Kancheepuram RTO Office. In this regard, the petitioner has given a representation to the respondent on 14.02.2024 and 08.06.2024. However, the same has not been considered. Hence, he seeks a direction.



4. The learned Standing Counsel for the respondent submitted that the representation of the petitioner will be considered by the respondent in a reasonable time.

5. Considering the limited nature of the relief sought for in the present Writ Petition, there shall be a direction to the respondent to consider the representation of the petitioner dated 14.02.2024 and 08.06.2024 and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

29.07.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To
Registering Authority
Transport Department
Puducherry.



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V.BHAVANI SUBBAROYAN, J.

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