



W.P.(MD)No.11611 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2024

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.11611 of 2024
and
W.M.P.(MD)No.10340 of 2024

S.Muthusamy

... Petitioner

Vs.

- 1.The Principal Secretary to Government,
Transport Department,
Secretariat,
Fort St. George,
Chennnai.
- 2.The Deputy Transport Commissioner,
Trichy Zone,
2nd Floor,
Trichy to Dindigul Main Road,
Pirattiyur, Thiruchirapalli-620 009.
- 3.The Regional Transport Officer,
Karur RTO,
No. 126, Old Dindigul Road,
Near Collectorate,
Karur 639 007.
- 4.The Motor Vehicles Inspector Gr-I,
Aravakurichi,
No. 5, Karur Main Road,
Aravakurichi,
Karur 639 201.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent No. 3 to accept the petitioner's Quarterly Tax with respect to the Vehicle bearing Reg. No. TN 47 T 5053 by considering the petitioner's representation dated 27.03.2024 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.A.V.Saha,
for Mr.R.Alagumani

For Respondents : Mr.R.Suresh Kumar,
Additional Government Pleader

ORDER

The present Writ Petition is filed praying for a Mandamus, directing the third respondent to accept the petitioner's Quarterly Tax with respect to the Vehicle bearing Reg. No. TN 47 T 5053 by considering the petitioner's representation, dated 27.03.2024.

2. It is submitted by the learned counsel appearing for the petitioner that the petitioner is the owner of lorry bearing registration No.TN 47 T 5053, which is used to transport bluemetals and charcoal from various crushers to contractors. On 29.02.2024, Sriganam Road Transport Office has levied a fine of Rs.48,000/- in Challan No.TN91337240229203658 against his lorry for overloading goods. When the petitioner approached the authorities to pay the



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Quarterly amount of Road Tax, they refused to receive the same stating that

Challan was issued against the said vehicle. It is stated that the petitioner has challenged the same and it is still pending. Meanwhile, a detailed representation was submitted to the respondents on 27.03.2024 to permit him to pay the Quarterly Tax amount and to continue to use the permit. Since no action was taken, the present petition is filed.

3. When the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondents would submit that the representation of the petitioner would be considered and orders would be passed by the third respondent thereon in accordance with law, acceded to by the learned counsel for the petitioner.

4. In view of the same and taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 27.03.2024, on its own merits and pass appropriate orders in accordance with law, after putting the petitioner on notice, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the



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merits of the representation and it is open to the concerned respondent to

consider the representation on its own merits and in accordance with law.

5. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

03.09.2024

NCC:yes/no

Index:yes/no

Internet:yes/no

TSG

To:

1.The Principal Secretary to Government,
Transport Department,
Secretariat,
Fort St. George, Chennai.

2.The Deputy Transport Commissioner,
Trichy Zone,
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Trichy to Dindigul Main Road,
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3.The Regional Transport Officer,
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4. The Motor Vehicles Inspector Gr- I,
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MOHAMMED SHAFFIQ, J.

TSG

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