



W.P.(MD)No.21237 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.21237 of 2024

Sivakumar

... Petitioner

Vs.

1.The District Collector cum Regional Transport Authority,
Collectorate,
Tuticorin.

2.The Regional Transport Officer,
Regional Transport Office,
Tuticorin District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to transfer the vehicle bearing Registration No.TN 46 B 4083 in the petitioner's name in Registration Certificate and subsequently replace the existing contract carriage permit of vehicle bearing Registration No.TN 21 E0301 to TN 46 B 4083 based on the petitioner's application dated 06.08.2024.



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For Petitioner : Mr.J.Nanthakumar

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

ORDER

The present Writ Petition is filed praying for a Mandamus, directing the second respondent to transfer the vehicle bearing Registration No.TN 46 B 4083 in favour of the petitioner and subsequently transfer the existing contract carriage permit of vehicle bearing Registration No.TN 21 E0301 to TN 46 B 4083 based on the petitioner's application dated 06.08.2024.

2. It is submitted by the learned counsel for the petitioner that the second respondent has issued a contract carriage permit having validity upto 23.02.2026, for share Auto-Rickshaw with a seating capacity of 5 members bearing Registration No.TN 21 E 0301, owned by the petitioner. Since the said vehicle is not in a good condition, the petitioner had purchased another Auto-Rickshaw bearing Registration No.TN 46 B 4083. Under such circumstances, the petitioner submitted an application dated 06.08.2024 before the respondent authority for name transfer and also also to transfer the contract carriage permit to his new vehicle bearing Registration No.TN 46 B 4083.



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Since no action was taken, the present petition is filed.

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3. The learned Additional Government Pleader for the respondents would submit that the application of the petitioner dated 06.08.2024 would be considered and orders would be passed thereon in accordance with law. The same is 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 second respondents to consider the petitioner's application dated 06.08.2024 on its own merits and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, after issuing notice to the petitioner. It is made clear that this Court has not expressed any views with regard to the 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.



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

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NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

- 1.The District Collector cum Regional Transport Authority,
Collectorate,
Tuticorin.
- 2.The Regional Transport Officer,
Regional Transport Office,
Tuticorin District.



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MOHAMMED SHAFFIQ, J.

Nsr

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