



W.P.No.8781 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 27.03.2025**

CORAM:

**THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD**

**W.P.No.8781 of 2025**  
**and W.M.P.No.9842 of 2025**

M.Karthik

...Petitioner

-Vs-

1. The Regional Transport Officer,  
Salem (West), Salem.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Certiorarified Mandamus, to call for the record of the Respondent herein relating to the Proceedings R.No.8140/B4/2023 dated 18.05.2023 issued by the Respondent and quash the same and consequently directing the respondent herein to entertain and consider the application together with PRA Form submitted by the petitioner for renewal of permit for a further period from 13.02.2023 to 12.02.2028 in respect of his Autorickshaw bearing Registration No.TN-31 BV4117.

For Petitioner : Mr.A.Ganesan



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For Respondent : Mr.M.Rajendiran  
Additional Government Plearder

### **ORDER**

The writ petition has been filed to call for the record of the Respondent herein relating to the Proceedings R.No.8140/B4/2023 dated 18.05.2023 issued by the Respondent and quash the same and consequently directing the respondent herein to entertain and consider the application together with PRA Form submitted by the petitioner for renewal of permit for a further period from 13.02.2023 to 12.02.2028 in respect of his Autorickshaw bearing Registration No.TN-31BV4117.

2.The learned counsel appearing for the petitioner submitted that the Petitioner, the owner of Autorickshaw TN-31BV4117, applied for the renewal of his contract carriage permit (valid until 12.02.2013). Due to Typhoid fever and Jaundice, he submitted the renewal application with a 20-day delay along with the prescribed fees and a medical certificate. However, the Respondent returned the application on 18.05.2022 without assigning proper reasons under the Motor Vehicles Act.



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3.The learned counsel appearing for the petitioner further submitted that the Petitioner, whose livelihood depends on the vehicle, is facing financial hardship as the vehicle remains idle. Since the Respondent neither rejected nor refused the application but merely returned it, the Petitioner is unable to file an appeal before the State Transport Appellate Tribunal under Section 89 of the Motor Vehicles Act. Hence, the present writ petition is filed seeking appropriate relief.

4.The learned counsel appearing for the respondent placed reliance on the order dated 05.10.2016 passed by this Court in ***W.P.No.34697 of 2016*** for ***V.Balasubramani vs. The Regional Transport Authority*** wherein it is held as follows:

*" The delay is 69 days and cannot be said to be inordinate, especially on account of the fact that the petitioner was sick. That apart, there is no allegation that the petitioner had deliberately filed the Application belatedly and no malafide is alleged against the petitioner. In fact if the petitioner's application is rejected, the*



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*petitioner will not be able to ply his Mini Bus, which would be against public interest. For all the above reasons, the impugned order calls for interference.*

5. Accordingly, the Writ Petition is allowed and the delay in filing the Application for renewal is condoned and the respondent is directed to consider the Renewal Application on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

**27.03.2025**

vsn  
Index : Yes / No  
Speaking / Non-Speaking Order

To  
The Regional Transport Officer,  
Salem (West), Salem.



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**J.SATHYA NARAYANA PRASAD, J.**

vsn

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