



WEB COPY

WP.No.11395 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-03-2025

CORAM

THE HONOURABLE MR JUSTICE J.SATHYA NARAYANA PRASAD

WP.No.11395 of 2025

G.Senthil Kumar
14, 3rd Cross, 39 V.N.Nagar,
Karur Bye Pass Road, Trichy.

Petitioner(s)

Vs

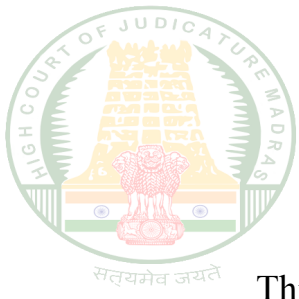
The State Transport Authority,
Guindy, Chennai-32.

Respondent(s)

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 Mandamus, directing the respondent herein to consider the petitioner's application for renewal of contract carriage omni bus permit dated 02.09.2024 and grant the renewal of permit for the period from 01.10.2024 to 30.09.2029, in respect of vehicle number TN-45/BC-7401 or to accept the surrender of permit by issuing TCC for the said vehicle forthwith and pass such further orders.

For Petitioner: Mr.K.Hariharan

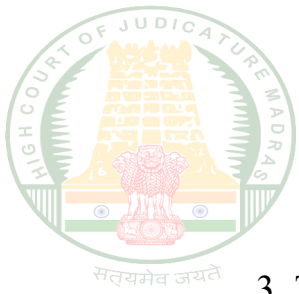
For Respondent: Mr.N.Naveen Kumar,
Government Advocate

**ORDER**

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This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondent herein to consider the petitioner's application for renewal of contract carriage omni bus permit dated 02.09.2024 and grant the renewal of permit for the period from 01.10.2024 to 30.09.2029, in respect of vehicle number TN-45/BC-7401 or to accept the surrender of permit by issuing TCC for the said vehicle forthwith.

2. The petitioner held a contract carriage omnibus permit for vehicle number TN-45/BC-7401, valid till 30.09.2029. He applied for permit renewal on 02.09.2024 for a further five-year period (01.10.2024 to 30.09.2029). Despite receiving and processing the application, the respondent has not yet passed an order on the renewal. Meanwhile, the petitioner has paid motor vehicle tax until 31.03.2025. Due to the delay, on 17.03.2025, he sent a letter requesting either the renewal of the permit or acceptance of its surrender. The bus, valued at Rs.50 Lakhs, remains idle, causing financial distress as he continues to pay the financier without being able to operate the vehicle.

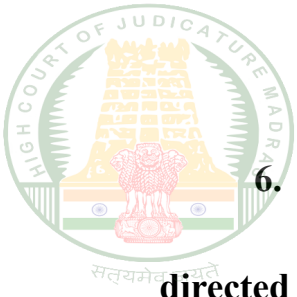


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3. The petitioner argues that under Section 81 of the Motor Vehicles Act, 1988, the respondent is legally bound to process renewal applications but has failed to do so. Additionally, Rule 136 of the Tamil Nadu Motor Vehicles Rules, 1989, mandates public hearings for permit applications, which the respondent has not conducted. He contends that without court intervention, the respondent will continue to delay the process. The delay has caused financial hardship, as the bus remains unused despite ongoing payments to the financier. Hence, the present writ petition is filed.

4. Learned Government Advocate appearing for the respondent would submit that the petitioner's application for renewal of contract carriage omni bus permit dated 02.09.2024 would be considered on merits, in accordance with law within a time frame stipulated by this Court.

5. Heard both sides and perused the materials available on record.



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6. Without going into the merits of the case, the respondent is directed to consider the petitioner's application for renewal of contract carriage omni bus permit dated 02.09.2024 and granting the renewal of permit for the period from 01.10.2024 to 30.09.2029 in respect of vehicle number TN-45/BC-7401 or to accept the surrender of permit by issuing TCC for the said vehicle forthwith on merits, in accordance with law, and pass appropriate orders within a period of six (6) weeks from the date of receipt of a copy of this order.

In the result, the writ petition stands disposed of with the above observations and direction. No costs.

28-03-2025

cda

Index: Yes/No

Speaking/Non-speaking order



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To
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The State Transport Authority
Guindy, Chennai-32.



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J.SATHYA NARAYANA PRASAD J.

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