



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 16.07.2025**

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**CORAM:**

**THE HONOURABLE MRs. JUSTICE N.MALA**

**W.P.No.23592 of 2025**  
**and WMP.No.26515 of 2025**

D.Shankar

.. petitioner

**vs**

1.The Regional Transport Authority  
Erode District, Erode

2.The Secretary  
Regional Transport Authority  
Erode District @ Erode (East)

... Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of certiorarified mandamus to call for the letter of the 1<sup>st</sup> respondent dated 21.06.2025 in returning the Application of the petitioner dated 06.05.2025 for renewal of permit and quash the same and direct the 1<sup>st</sup> respondent to receive the application dated 06.05.2025 of the petitioner for or renewal of permit, in respect of the vehicle bearing Regn.No.TN33-BH-2505 and plying on the route, Erode Town Service Route No.1, namely Erode Bus stand to SPB limited Colony (via) Mettur



Road, GH Railway Station, P.S.Park, Old Bus Stand, Pallipalayam and SPB

Limited Factory and dispose of the same on merits and in accordance with the law.

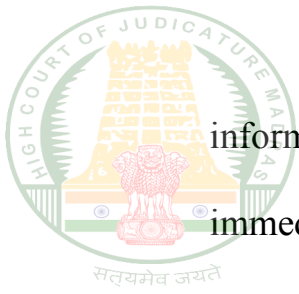
For Petitioner : Mr.M.Palani

For Respondents : Mr.M.Shajakhan, SGP

**ORDER**

The writ petition is filed challenging the letter of the 1<sup>st</sup> respondent dated 21.06.2025, rejecting the petitioner's application dated 06.05.2025 for renewal of permit with respect to the vehicle No.TN33-BH-2505 plying on route Erode Bus stand to SPB limited colony.

2. The petitioner is a stage carriage operator in Erode town, plying vehicle bearing Registration No.TN33-BH-2505 on the route No.1, Erode Bus Stand to SPB limited colony (via) Mettur Road. The petitioner was issued with permit for a period of five years from 14.08.2019 to 13.08.2024. While verifying the online portal maintained by the 2<sup>nd</sup> respondent, the petitioner found that the permit was valid till 11.11.2025. Because the 2<sup>nd</sup> respondent's portal reflected that the permit was valid till 11.11.2025, the petitioners bonafide believed that the permit was valid till 11.11.2025, however to his shock, during the first week of May 2025, his Manager



informed him that the permit expired on 13.08.2024. The petitioner immediately submitted an application on 06.05.2025, for renewal of permit under Section 81, of the Motor Vehicles Act. The petitioner's application for renewal was returned by the first respondent by the impugned letter dated 21.06.2025, stating that he had no authority to condone the delay for belated renewal application. Aggrieved by the impugned letter of the first respondent, the petitioner filed the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents and perused the materials available on record. With consent of both counsels, this writ petition is taken up for final disposal.

4. The facts are not disputed. The core issue to be decided is whether the reason assigned in the impugned letter for rejecting the petitioner's permit renewal application is valid or not.

5. Before embarking on the sustainability of the impugned letter, it will be pertinent to refer to Section 81(2) and 81(3) of the Motor Vehicle



Act. Section 81 (2) and (3) of the Motor Vehicle Act 1988 reads as follows :-

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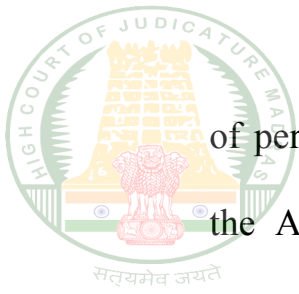
***“81.Duration and renewal permit :-***

*(2) A permit may be renewed on an application made not less than fifteen days before the date of its expiry.*

*(3)Notwithstanding anything contained in Sub-section (2), the Regional Transport Authority or the State Transport Authority, as the case may be, entertain an application for the renewal of a permit after the last date specified in that sub-section if it is satisfied that the applicant was prevented by good and sufficient cause from making an application within the time specified.”*

6. Even though, the first respondent in the impugned letter referred to the provisions of Section 81(2) and (3) of the Act, he erroneously returned the petitioner's application on an incorrect view that he was not vested with the power to condone the delay.

7. From a bare reading of Section 81(3) it is evident that the respondent Authority is empowered to entertain the application for renewal



of permit beyond the last date specified in Sub Section 2 of Section 81 of the Act, if good and sufficient cause for delay is established. As the impugned letter is based on a misconception law, I am of the view that the same cannot be sustained and hence it is set aside.

8. Under the facts and circumstances of the case, the following directions are issued to the first respondent for considering the application of the petitioner for renewal of permit :-

(i)the petitioner shall resubmit the application along with the covering letter giving justification for the delay in filing the renewal application.

(ii)the said letter along with application shall be submitted within a period of two weeks from the date of receipt of a copy of this order.

(iii)on receipt of such application along with the explanation letter, the first respondent shall, in the light of the provisions of 81(3) of the Motor Vehicles Act, pass orders on merits and in accordance with law, within a period of six weeks thereafter.



9. The writ petition is allowed with the aforesaid directions. No costs. Consequently, connected miscellaneous petition is closed.

**16.07.2025**

Speaking order / Non-speaking order  
Index : Yes / No  
Neutral Citation : Yes / No  
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To

1.The Regional Transport Authority  
Erode District, Erode

2.The Secretary  
Regional Transport Authority  
Erode District @ Erode (East).



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**N. MALA, J.**

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