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WP No. 31678 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-08-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP No. 31678 of 2025

1. M.Sampath
5-7 2nd Street, Natesannagar,
Chennai 600 089.

Petitioner(s)

Vs

1. Regional Transport Officer
Chennai South West Chennai 92

Respondent(s)

PRAYER

Writ petition filed under Article 226 of the Constitution of India
DIRECTING the respondent herein to receive the petitioners application
dated 13.08.2025 for the grant of contract carriage Maxi Cab permit in
respect of vehicle Number TN 22/CA-1378 and pass.

For Petitioner(s): K.Hariharan
Vallabh Narayan H

For Respondent: Mr.M.Shajakhan, Spl.GP



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ORDER

- (1) Mr. M. Shajakhan, learned Special Government Pleader accepts notice on behalf of the respondent. With the consent of both the learned counsels, the writ petition is taken up for final disposal at the admission stage itself.
- (2) The writ petition is filed for a mandamus directing the respondent to receive the petitioner's application dated 13.08.2025 for grant of contract carriage Maxi Cab permit in respect of vehicle No. TN-22-CA-1378.
- (3) The petitioner is a driver by profession and also owns a Maxi Cab van bearing registration No. TN-22-CA-1738. The petitioner was granted permit upto the year 2021 and thereafter, due to Covid pandemic and also due to the loss in business, the petitioner could not renew the permit and hence, the permit lapsed. The petitioner states that on 13.08.2025, the petitioner paid necessary fee for grant of fresh permit and approached the respondents to present the application. However, the respondent orally refused to receive the petitioner's application stating that he had no instructions from the higher



authorities to receive fresh application for Maxi Cab van. Hence, the petitioner, left with no other remedy, filed the above writ petition for the aforesaid relief.

(4) Heard both the learned counsels and perused the materials placed on record.

(5) Admittedly, the petitioner possessed permit for the Maxi Cab till 2021, and after Covid pandemic, the petitioner was not able to renew the permit. The petitioner applied for fresh permit along with the requisite fees on 13.08.2025. However, the respondent refused to receive the application on the ground that he had no instructions from the higher authorities to receive the application for Maxi Cab van. This Court is called upon to examine whether the respondent is justified in refusing to receive the petitioner's application.

(6) At this juncture, it will be useful to refer to Section 80 of the Motor Vehicle Act, 1988, relating to procedure in applying for and granting permits. The relevant provisions of Section 80 read as follows:-

"Section 80 :- Procedure in applying for and granting permits.—

(1) An application for a permit of any kind may be



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made at any time.

(2)A [Regional Transport Authority, State Transport Authority or any prescribed authority referred to in sub-section (1) of section 66] shall not ordinarily refuse to grant an application for permit of any kind made at any time under this Act:

Provided that the [Regional Transport Authority, State Transport Authority or any prescribed authority referred to in sub-section (1) of section 66] may summarily refuse the application if the grant of any permit in accordance with the application would have the effect of increasing the number of stage carriages as fixed and specified in a notification in the Official Gazette under clause (a) of sub-section (3) of section 71 or of contract carriages as fixed and specified in a notification in the Official Gazette under clause (a) of sub-section (3) of section 74:

Provided further that where a [Regional Transport Authority, State Transport Authority or any prescribed authority referred to in sub-section (1) of section 66] refuses an application for the grant of a permit of any kind under this Act, it shall give to the applicant in writing its reasons for the refusal of the same and an opportunity of being heard in the matter.

(7) Upon a reading of the aforesaid provisions, it is evident that the Transport



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Authority under the second proviso to sub-section [2] to Section 80, while

refusing an application for grant of permit of any kind under the Act, is bound

to give the applicant in writing, his reasons for refusal of the same and give

an opportunity of being heard in the matter.

(8) Since the respondent has orally refused to receive the petitioner's application,

such refusal is in violation of the provisions of Section 80(2) of the Act.

Hence, this Court is inclined to direct the respondents to strictly adhere to the

procedure contemplated under the said provisions.

(9) Accordingly, the respondent is directed to entertain the petitioner's

application, follow the procedure prescribed under Section 80 of the Act and

pass appropriate orders on merits and in accordance with law, within a period

of 4 weeks from the date of receipt of a copy of this order.

(10) The writ petition is **disposed of with the above direction.** No costs.

21-08-2025

AP

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
1.Regional Transport Officer
Chennai South West Chennai 92



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N.MALA J.

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