



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

CORAM

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.38467 of 2025
and W.M.P.No.42991 of 2025

Ramajayam Motor Service
2D Thennampalayam Main Road,
Tirupur 641 604
Rep. By its Mg. Partner P.Palanisamy

..Petitioner(s)

Vs

1. The Regional Transport Authority
Tiruppur Region,
Collectorate,
Tiruppur
2. The Secretary
Regional Transport Authority,
Tiruppur North,
Tiruppur 641 603
3. P.Senthilkumar
S/o. Periasamy,
8/12 Chellam Nagar 3rd Street
Tiruppur

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorarified Mandamus, calling for the records of the 1st respondent herein made on 12.08.2025 relating to suspension of permit of minibus TN 24X 1146 of the 3rd respondent covered by permit on the route Tiruppur Old bus stand to Mangalam and the proceedings communicated by the 2nd respondent in R.No.2538/A3 2025 dated 02.09.2025 and received on 17.09.2025 and quash the same further directing the 1st respondent to re-



evaluate the matter afresh for the cancellation of the said permit in accordance with law.

For Petitioner(s): Mr.K.Goviganesan

For Respondent(s): Mr.P.Siddarth
Government Counsel – R1 & R2

No Appearance - R3

ORDER

The petitioner challenges the order dated 02.09.2025 passed by the first respondent, whereby the permit of the petitioner's vehicle was suspended for a period of one month from 12.08.2025 to 10.09.2025 under Section 86(1) of the Motor Vehicles Act, 1988.

2.The third respondent had earlier approached this Court in W.P.No.915 of 2025, challenging the permit granted in favour of the petitioner on the ground of deviation from the permitted route. This Court, by order dated 25.02.2025, disposed of the said writ petition, observing that, if the petitioner violated the conditions of the permit by deviating from the route for which the permit was granted, the first respondent was at liberty to initiate appropriate action against the petitioner in accordance with law.

3.Pursuant to the said order, an enquiry was conducted and, thereafter, the impugned order dated 02.09.2025 came to be passed.



4. Heard the learned counsel appearing for the parties.

5. The impugned order directs suspension of the permit for the period from 12.08.2025 to 10.09.2025. However, the order itself was passed only on 02.09.2025. Consequently, the petitioner did not have the benefit of the suspension order for a substantial part of the period for which the suspension was ordered. In effect, the order seeks to operate retrospectively, particularly when it was passed shortly before the expiry of the prescribed period of suspension.

6. An order of suspension under Section 86(1) of the Motor Vehicles Act has to be passed and communicated within a reasonable time so that it can be effectively implemented. In the present case, the impugned order was passed only on 02.09.2025, although the suspension period had commenced on 12.08.2025. Therefore, the impugned order cannot be sustained on the ground that it seeks to give retrospective effect to the suspension.

7. Accordingly, the impugned order dated 02.09.2025 passed by the first respondent is set aside. The first respondent is directed to conduct a fresh enquiry, after affording an opportunity of hearing to the petitioner and the third respondent, and thereafter pass a fresh order in accordance with law. The entire



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exercise shall be completed within a period of six (6) weeks from the date of receipt of a copy of this order.

8.The writ petition is allowed accordingly. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

06-08-2026

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

KAS

To

1. The Regional Transport Authority
Tiruppur Region,
Collectorate,
Tiruppur
2. The Secretary
Regional Transport Authority,
Tiruppur North, Tiruppur 641 603

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