

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2015

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.19894 and 19895 of 2015

ABI & ABI Express Transports
Rep. by its Partner E.Abinesh
80 Abi & Abi Towers
opp. to Medical College
Thanjavur-4.

... Petitioner in both WPs

vs.

The State Transport Authority,
Chepauk,
Chennai 600 005

... Respondent in both WPs

PRAYER in both WPs. : These Writ petitions are filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, to direct the respondent herein to consider and pass orders on the petitioner's applications dated 20.10.2013 (dealt with in R.No.57606/ A3/2013 and R.No.57607/ A3/2013)) for the grant of Contract Carriage Omni Bus Permit forthwith

For Petitioner : Mr.K.Hariharan
in both WPs

For Respondent : Mr.R.Lakshminarayanan
in both WPs Additional Government Pleader

C O M M O N O R D E R

There are two writ petitions filed by ABI & ABI Express Transports represented by its Partner E.Abinesh, to issue a Writ of Mandamus, to direct the respondent to consider and pass orders on his applications dated 20.10.2013 (dealt with in R.No.57606/ A3/2013 and R.No.57607/ A3/2013) for the grant of Contract Carriage Omni Bus Permit forthwith

2. Mr. R. Lakshminaryananan, learned Additional Government Pleader takes notice for the respondent. With the consent of both parties, the petitions are taken up for disposal at the stage of admission itself.

3. The petitioner being a tourist bus operator, applied for a contract carriage omni bus permit on 20.10.2013 before the respondent. The applications of the petitioner were also received and thereupon the respondent has assigned R.No.57606/ A3/2013 and R.No.57607/ A3/2013 respectively, to his applications. The grievance of the petitioner is that till date the respondent has not passed any order, neither granting the permit nor rejecting the same. As the inaction is running contrary to Rule 80 (1) of the Motor Vehicles Act 1988, the petitioner was constrained to come this Court.

4. Learned counsel appearing for the petitioner, further submitted that this Court, in similar circumstances, while considering the effect of the provisions under section 80(1) of the Motor Vehicles Act 1988, has directed the respondents to consider and pass appropriate orders on the applications.

5. At this point of time, learned Additional Government Pleader requested this Court to grant eight weeks time to consider and pass orders on the applications of the petitioner. Therefore, considering the request of the petitioner, the respondent is directed to pass orders on the applications of the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, both the writ petitions are disposed of. No costs.

Sd/-
Deputy Registrar(J)

//True Copy//

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To

Sub Assistant Registrar

The State Transport Authority,
Chepauk, Chennai 600 005

+1cc to Mr.K.Hariharan, Advocate, S.R.No.33791

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AD(CO)
CA(15/07/2015)