

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2015

CORAM:

THE HONOURABLE Mr.JUSTICE R.MAHADEVAN

W.P.No.20347 of 2015

and

M.P.No.1 of 2015

R.Rathnasamy

... Petitioner

Vs

1.The Regional Transport Authority,
Tirupur Region,
Collectorate,
Tirupur 641 604.

2.The Secretary,
Regional Transport Authority,
Tirupur North,
Tirupur 641 603.

3.J.Lalithamani

....Respondents

Writ petition filed under 226 of the Constitution of India for the issuance of writ of Mandamus, to direct the respondents 1 and 2 to initiate necessary action directing the 3rd respondent to operate her two minibuses TN 43 B 8776 and TN 57 N 0340 on the route Vellaiangadu to 15 Velampalayam as per the permit issued by the first respondent.

For Petitioner : Mr.T.Padmanabhan

For Respondents : Mr.M.S.Ramesh, AGP -R1 & R2
Mrs.S.Radha Gopalan - R3

ORDER

The petitioner has filed this writ petition, seeking a writ of Mandamus, to direct respondents 1 and 2 to initiate necessary action by directing the 3rd respondent to operate her two minibuses bearing Regn.Nos.TN 43 B 8776 and TN 57 N 0340 on the route Vellaiangadu to 15 Velampalayam as per the permit issued by the first respondent.

2.The petitioner in the earlier round of litigation in WP.No.16336 of 2015, pointed out the unauthorised operation of the vehicles in question by the third respondent and the said writ petition came to be disposed of with the following directions:

"The learned counsel for the petitioner again submitted that even though the first respondent has passed an order of suspension of permit, the second respondent is plying her vehicles. If the second respondent is plying the vehicles with impunity, it is for the first respondent to take appropriate action. Hence, recording the statement of the learned Special Government Pleader for the first respondent, this writ petition is dismissed. Consequently, MP.No.1 of 2015 is also dismissed. No costs."

Thereafter, on the basis of the said order, the petitioner made a representation dated 16.06.2015 to the second respondent for taking necessary action. But no action has been taken so far. Hence, the petitioner is before this Court.

3.The subject matter of this writ petition had already been considered by this court, hence, the present writ petition seeking the same relief is not maintainable. However, since no action has been taken so far by the authority concerned, despite a direction issued by this court by order dated 10.06.2015 in WP.No.16336 of 2015, this court directs the first respondent to comply with the said order, after affording due opportunity of personal hearing to the petitioner as well as to the third respondent. The said exercise shall strictly be completed within a period of six weeks from the date of receipt of a copy of this order.

4.The writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-
Assistant Registrar

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Sub-Assistant Registrar

To

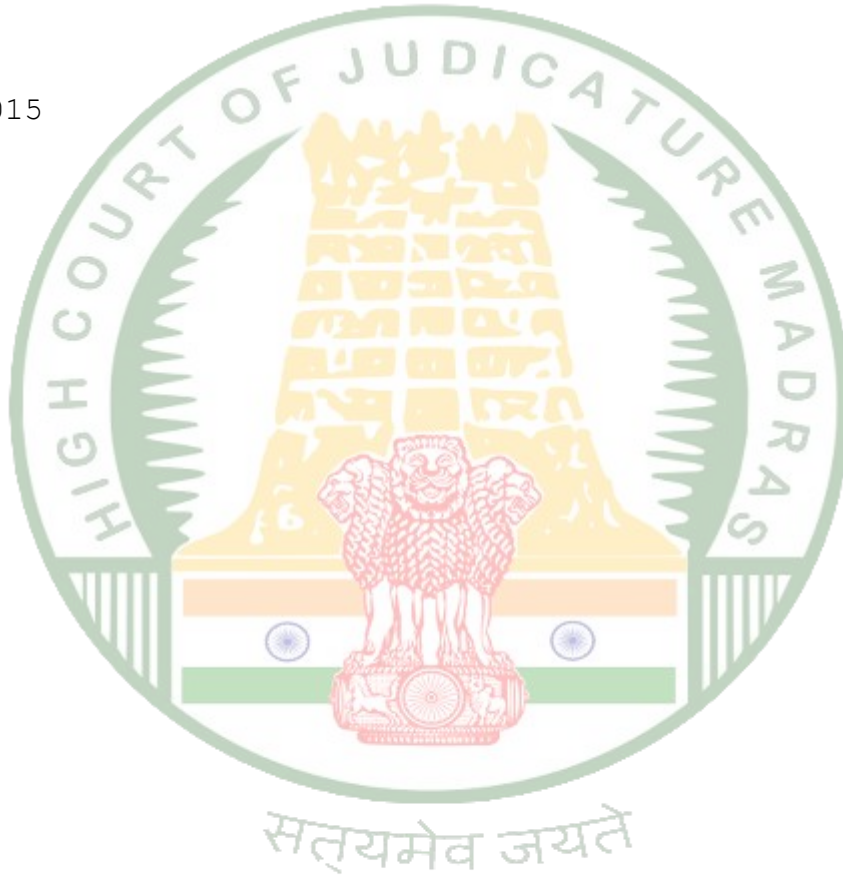
1.The Regional Transport Authority,
Tirupur Region,
Collectorate,
Tirupur 641 604.

2.The Secretary,
Regional Transport Authority,
Tirupur North,
Tirupur 641 603.

+1 cc to Mrs.S.Radha Gopalan vide sr.64869
+1 cc to Government Pleader vider sr.64530
+1 cc to Mr.T.Padmanabhan vide sr.64708

W.P.No.20347 of 2015

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