

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2015

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.20485 of 2015
and M.P.Nos.1 & 2 of 2015

A.Natarajan
Proprietor
Natarajan Motor Service
Coimbatore

[Petitioner]

Vs

- 1 The Regional Transport
Authority Coimbatore District Coimbatore
- 2 The Secretary
Regional Transport Authority Coimbatore
North Coimbatore

[Respondents]

PRAYER : This Writ petition is filed under Article 226 of the Constitution of India praying for a Writ of certiorari calling for the records of the 1st respondent made under proceeding R. No. 59249/A4/2012 dt 29.6.2015 in respect of the petitioners stage carriage service bearing Regn. No. TN 66 H 2849 plying on the route Coimbatore Central Bus Stand to Mettupalayam and quash the same.

For Petitioner : Mr.M.Palani

For Respondent : Mr.A.Kumar, SGP

सत्यमेव जयते
O R D E R

Heard Mr.M.Palani, learned counsel for the petitioner and Mr.A.Kumar, learned Special Government Pleader for the respondents and with their consent, the main writ petition itself is taken up for disposal.

2. This writ petition has been filed challenging the impugned order dated 29.6.2015 in respect of the petitioner's stage carriage service bearing Regn. No. TN 66 H 2849 plying on the route Coimbatore Central Bus Stand to Mettupalayam.

3. Mr.M.Palani, learned counsel for the petitioner submitted that the petitioner was constrained to come to this Court invoking

Article 226 of the Constitution of India for the peculiar reason that the certified copy of the impugned order was not furnished to him. According to him, if the respondent department is directed to furnish a certified copy of the impugned order, the petitioner is prepared to file an appeal against the same, as an affected person. He would further submit that as per Section 246 of the Motor Vehicles Act, he is one of the affected transport permit holders and therefore, he should also be issued with a certified copy of the impugned order.

4. If I go by the provisions under Section 246 of the Act, the petitioner, in my view, is an aggrieved person. Therefore, the petitioner is entitled to a certified copy of the impugned order.

5. In view of the above, this writ petition is disposed of by directing the 2nd respondent to produce a certified copy of the order either today (09.07.2015) or tomorrow (10.07.2015) before 05.00 p.m. to the petitioner. It is needless to mention that whoever operating their buses in the said route in question, their cases also will be considered for furnishing the certified copy of the order for filing appeal.

No costs. Connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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To

1 The Regional Transport
Authority Coimbatore District Coimbatore

2 The Secretary
Regional Transport Authority Coimbatore
North Coimbatore

1 cc to Mr.M. Palani, Advocate, sr. 34538

W.P.No.20485 of 2015

RV (CO)
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