

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2015

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.38511 to 38516 of 2015

T.K.Chellaasaami

...Petitioner in

W.P.No.38511 & 38512/15

C.Rajasekara Pandian

...Petitioner in WP.38513 to
38516/15

Vs

The State Transport Authority,
Chepauk,
Chennai - 600 005.

...Respondent in all WP's

Prayer in W.P.No.38511 of 2015 to 38516/15:

Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus directing the respondent to consider and pass orders on the Petitioner's Application dated 26.10.2015 (dealt with in R.No.A3/52656 to 52661/2015) for the grant of contract carriage Omni Bus permit, forthwith.

For Petitioners : Mr.K.Hariharan

For Respondent : Mr.R.M.MuthuKumar

Government Advocate.

सत्यमेव जयते

COMMON ORDER

The writ petitions are filed by the petitioners seeking to issue a Writ of Mandamus, to consider and pass orders on the Petitioners Application dated 26.10.2015 (dealt with in R.Nos.A3/52656/2015, R.No.A3/52657/2015, R.No.A3/52658/2015, R.No.A3/52659/2015, R.No.52660/2015 and R.No.52661/2015) for the grant of contract carriage Omni Bus permit, forthwith.

2.Mr.R.M.Muthukumar, learned Government Advocate takes notice for the respondent. With the consent of both parties, the petitions are taken up for final disposal at the stage of admission itself.

3.The petitioners being tourist bus operators, applied for a contract carriage omni bus permit on 26.10.2015 before the respondent. The applications of the petitioners were also received and thereupon the respondent has assigned R.No. A3/52656/2015, R.No.A3/52657/2015, R.No.A3/52658/2015, R.No.A3/52659/2015, R.No.52660/2015 and R.No.52661/2015 respectively, to their applications. The grievance of the petitioners 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 petitioners are constrained to come this court.

4.The learned counsel appearing for the petitioners 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 respondent to consider and pass appropriate orders on the applications.

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

6.With the above direction, the Writ Petitions are disposed of. No order as to costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To
The State Transport Authority,
Chepauk,
Chennai - 600 005.

+1 cc to Government Pleader sr.65721
+6 ccs to Mr.K.Hariharan Advocate sr.65485

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