

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2015

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.40394 of 2015

A.Mohan Kumar

.. Petitioner

Vs.

The State Transport Appellate Tribunal
High Court Campus
Chennai-104.

2.The Regional Transport Authority
Dharmapuri

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the second respondent herein to implement the order of the State Transport Appellate Tribunal, Chennai made in M.V.Appeal No.16/2012 dated 30.06.2014 by granting the renewal of stage carriage permits to the petitioner herein on the routes 1) Dharmapuri to Erode 2) Salem to Tirupathur 3) Salem to Hosur and 4) Harur to Athipalli Border.

For Petitioner : M/s.T.Padmanabhan
For respondents : M/s.R.M.Muthukumar, GA.

O R D E R

By consent, the present writ petition is taken up for final disposal.

2. The case of the petitioner is that the renewal application of the petitioner's firm were rejected by the second respondent in his proceedings R.No.A3/33241/2011 dated 22.12.2011. Challenging the order, the petitioner filed an appeal in M.V.Appeal No.16 of 2012 before the State Transport Appellate Tribunal, Chennai. The Appellate Tribunal set aside the order and remanded back the case to the second respondent for fresh consideration by its order dated 30.06.2014. Subsequently, the petitioner submitted his representation dated 26.11.2015 to the respondents to take up the case and dispose of the application as per the order of the appellate authority. Since, it was not considered, the petitioner filed the present writ petition.

3.Heard the submissions of Mr.T.Padmanabhan, learned counsel appearing for the petitioner and M/s.R.M.Muthu Kumar, Government Advocate who accepts notice on behalf of the respondents.

4.This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the second respondent to consider the representation of the petitioner dated 26.11.2015 and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after giving necessary opportunity to the petitioner and communicate the decision taken to the petitioner.

5.The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

The State Transport Appellate Tribunal
High Court Campus
Chennai-104.

2.The Regional Transport Authority
Dharmapuri.

+1cc to Mr.T.Padmanabhan, Advocate, S.R.No.69377
+1cc to the Government Pleader, S.R.No.69648

सत्यमेव जयते

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bvr (CO)
srg (19/01/2016)

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