

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.9055 of 2014

S.Abdul Rahim

.. Petitioner

Vs.

1.The Regional Transport Authority,
Coimbatore.

2.The Secretary,
Regional Transport Authority,
Thirupur.

... Respondents

The writ petition is filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus, directing the first respondent to consider the representation of the petitioner, dated 26.8.2013, to permit the petitioner to operate the mini bus bearing Registration No.TN 39/AZ 8554, on the deviated route from P.Puliampatti Bus stand to Rangampalayam Oorikinaru Alamaram, via Madampalayam, Goundanpalayam Pirivu, Kaliampalayam Pirivu till the original route is made available for operation of mini bus.

For Petitioner : No appearance
For Respondent No.1 : Dismissed vide order dated
1.10.2015

For Respondent No.2 : Mr.P.Karthikeyan, GA

सत्यमेव जयते
ORDER

There is no representation on behalf of the petitioner. Heard the learned counsel appearing on behalf of the second respondent.

2 This writ petition has been filed by the petitioner, praying that this Court may be pleased to issue a Writ of Mandamus, directing the first respondent herein to consider the representation of the petitioner, dated 26.8.2013, permitting him to operate the mini bus, bearing Registration No.TN 39/AZ 8554, on the deviated route, from P.Puliampatti Bus stand to Rangampalayam Oorikinaru Alamaram, via Madampalayam, Goundanpalayam Pirivu, Kaliampalayam Pirivu, till the original route is made available for the operation of the mini bus.

3 At this stage of the hearing of the writ petition, the

learned counsel appearing on behalf of the second respondent had submitted that the request of the petitioner had been considered and rejected, vide proceedings of the second respondent, dated 22.5.2014. It has also been stated that the said proceedings had been received by the petitioner, on 29.5.2014. Hence the writ petition has become infructuous.

4 Paragraph 10 of the counter affidavit filed on behalf of the second respondent reads as follows :

"10. With reference to the grounds of para (6) of the affidavit of the petitioner it is respectfully submitted that this Authority had taken appropriate action and conducted a detailed survey to ascertain the conditions of the route in question and also to ascertain the need of services on the existing route to the traveling public, students of the concerned area. The question of granting a Temporary Permit to a varied route as requested by the permit holder does not arise and the same had been intimated to the petitioner vide this office Lr.No.50403/A3/2013 Dated 22.5.2014. The petitioner acknowledged and acknowledgement received by this office on 29.5.2014."

5 In view of the submissions made by the learned counsel appearing on behalf of the second respondent and in view of the averments made in paragraph 10 of the counter affidavit, this Court is of the considered view that the writ petition has become infructuous. Hence the writ petition is dismissed, as infructuous. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Regional Transport Authority,
Coimbatore.

2.The Secretary,
Regional Transport Authority,
Thirupur.

+1 cc to Govt.Pleader,sr.42407.

tm(co)
krd 8/8

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