

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2016

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.11799 of 2016
and
W.M.P.No.10180 of 2016

M.Palanivel

... Petitioner

Vs.

The State Transport Authority,
Puducherry.

... Respondent

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the respondent herein to forthwith consider the application of the petitioner dated 13.08.2015 for revision of timings in respect of the petitioner's stage carriage bearing Registration No.PY-01/BS-***5058** plying on the route "Pondicherry to Sooramangalam"and fix the timings for all the 10 singles by convening timings conference.

For Petitioner : Mrs.S.Radha Gopalan
For Respondents : Mr.A.Tamilvanan,
Government Advocate(Pondicherry)

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus to direct the respondent herein to forthwith consider the application of the petitioner dated 13.08.2015 for revision of timings in respect of the petitioner's stage carriage bearing Registration No.PY-01/BS-***5058** plying on the route "Pondicherry to Sooramangalam"and fix the timings for all the 10 singles by convening timings conference.

2.It is the case of the petitioner that he is a stage carriage operator operating a vehicle on the route "Pondicherry to Sooramangalam"and the permit being granted by the respondent herein and counter signed by the State Transport Authority, Tamil Nadu. The permit was originally issued on the route Pondicherry to Sooramangalam. Subsequently, the said route was extended up to Villupuram, subject to the grant of counter signature by the State Transport Authority, Tamil Nadu. Since the application of the petitioner for grant of counter signature was pending with the

State of Tamil Nadu, the route was curtailed to Madukkarai and the respondent also permitted the petitioner to run the vehicle to Madukkarai. According to the petitioner, the petitioner has been operating on the route since the grant of variation. Further according to the petitioner, the permit granted by the respondent clearly stated that the route is Pondicherry to Sooramangalam via., Madukkarai and the petitioner will have to operate the said vehicle with the same timings that existed in 1988. By order dated 23.07.2015, the Secretary, State Transport Authority, Puducherry, suo motu curtailed the trips and permitted the petitioner to operate the vehicle only in respect of 4 singles. Aggrieved over the said order of the respondent, the petitioner gave a representation dated 13.08.2015 explaining all the facts and requested the respondent to permit him to operate all 10 singles by fixing the timings for all the 10 singles by considering the application for revision of timings and also enclosed therewith an application for revision of timings after paying necessary fees. However, the respondent has not convened any timings conference for fixing the timings and the application of the petitioner dated 13.08.2015 is still kept pending.

3.Mr.A.Tamilvanan, learned Government Advocate (Pondicherry) taking notice for the respondents submitted that the respondent would process the application within a week's time and in view of the forthcoming Assembly elections six weeks time may be granted for convening the timings conference after giving notice to all the parties.

4.In these circumstances, taking into consideration the submissions made by the learned counsel on either side, I direct the respondent to process the application within a period of one week from the date of receipt of a copy of this order and convene the timings conference and pass necessary orders within a period of six weeks thereafter.

5.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)
Dated:05/04/2016

*Amended as per order
of this Court dated 15/6/2016
in WMP 12911 of 2016
in WP 11799
Sd/-
Assistant Registrar(CS-VI)
Dated:16/06/2016

//True Copy//

va

To

The State Transport Authority,
Puducherry.

To be substituted for the
order already despatched
on 12/8/2016

+1cc to Mrs.S.Radha Gopalan, Advocate, S.R.No.***32689**

+1cc to the Government Pleader(Pondicherry), S.R.No.***32917**

W.P.No.11799 of 2016

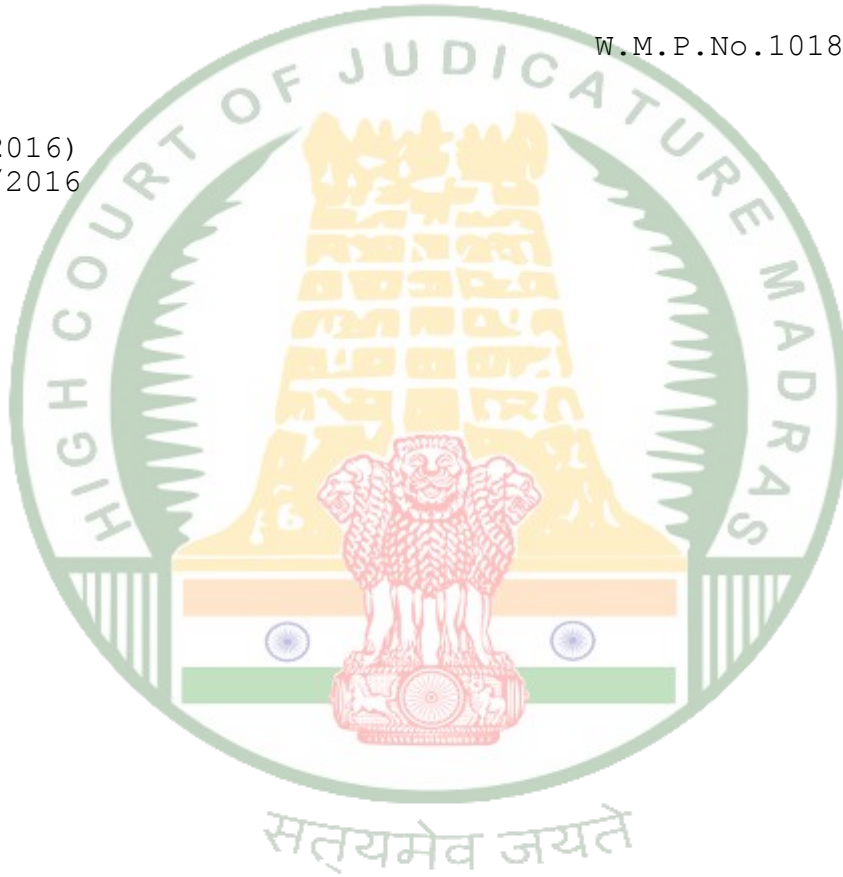
and

W.M.P.No.10180 of 2016

SVI (CO)

CA(05/04/2016)

srg 16/06/2016



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