

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:21.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.14773 of 2016

K.Thirumalaisamy

... Petitioner

Vs.

1.The Regional Transport Authority,
O/o. District Collector,
Tirupur.

2.The Regional Transport officer,
O/o. Regional Transport Office,
Tirupur (North), Tirupur.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus directing the respondent herein to consider and pass orders forthwith on the petitioner's representation dated 22.02.2016 to ply his mini bus TN 31 A 1234 on the straight route of DSK, JMHS Rakkiyalapalayam Pirivu for a distance of 0.6km, instead of DSK, Amarjothi A.S.Nagar, Arivu Thirukoil, Kaliappa Nagar, Kangeyam Road, Rakkiyalapalayam Pirivu.

For Petitioner : Mr.T.Padmanabhan

For Respondents : Mr.A.Zakir Hussain

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondent to consider and pass orders forthwith, on his representation dated 22.02.2016 to ply his mini bus bearing Registration No.TN 31 A 1234 on the straight route.

2. It is the case of the petitioner that he is the holder of the Mini Stage Carriage Permit, on the route from Kumaran College to Ganapathipalayam via, Parapalayam Pirivu, Chellam Nagar Pirivu, K.V.R. Nagar, A.B.T. Road, Tiruppur Old Bus Stand, C.T.C.Velan Hotel, Amarjothi A.S. Nagar, Arivu Thirukoil, Kaliappa nagar, Kangeyam Road, Rakkiyalapalayam Pirivu by his Mini Bus bearing Registration No.TN 31 A 1234 and the

said permit is valid upto 26.10.2018. At the time of issuance of permit, there were only few houses in Amarjothi A.S.Nagar. Now, the area is vastly developed with more houses and is one of the VIP areas in Tiruppur. Due to the same, it is very difficult to give way to the vehicles coming from the opposite and same directions. The people in that area have also made repeated complaints to the police authorities stating that due to the operation of mini buses, the area got polluted and the same causes disturbance for their darshan and meditation.

3. Now, the grievance of the petitioner is that he made a representation dated 22.02.2016 to the respondents requesting to allow his vehicle to ply on the straight route via, DSK, JMHS Rakkiyapalayam Pirivu for a distance of 0.6 km, instead of the original route. However, till date, no order has been passed by the respondents. Therefore, the petitioner has filed the present petition for the above stated relief.

4. Heard Mr.T.Padmanabhan, learned counsel for the petitioner and Mr.A.Zakir Hussain, learned standing counsel, who took notice for the respondents.

5. Considering the limited nature of the relief sought for herein, this Court directs the respondents to consider the representation of the petitioner dated 22.02.2016, by affording an opportunity of personal hearing to the petitioner and pass appropriate orders. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the respondents to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs.
rk

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Regional Transport Authority,
O/o. District Collector, Tirupur.

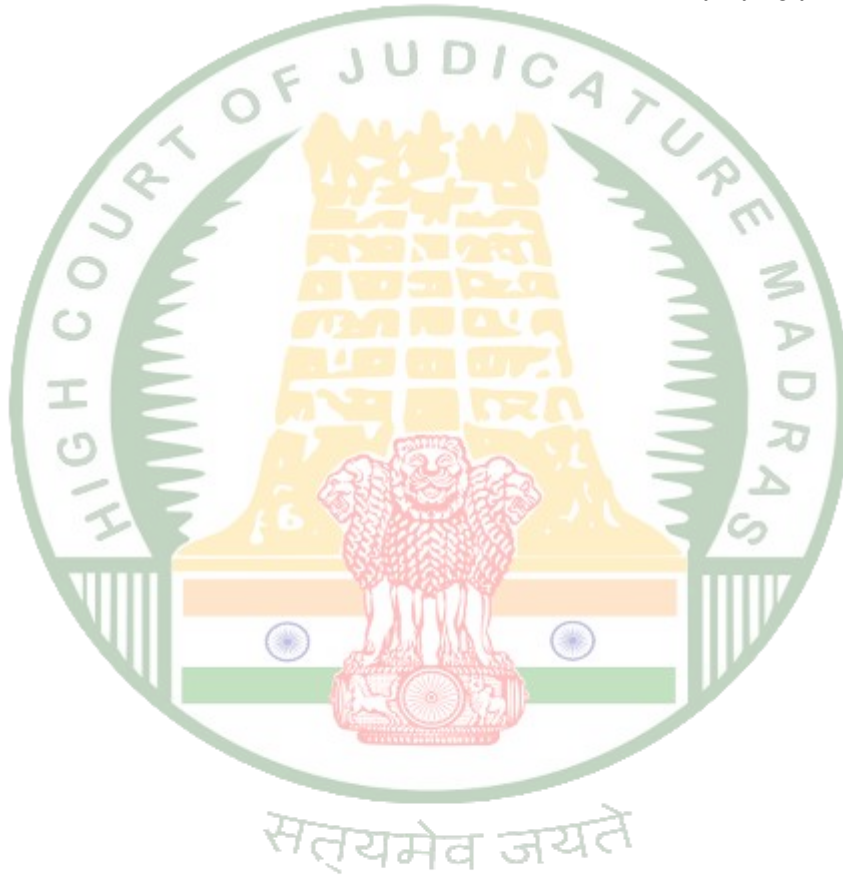
2.The Regional Transport officer,
O/o. Regional Transport Office,
Tirupur (North), Tirupur.

+ 1 cc to Mr.T.Padmanabhan, Advocate, S.R.No.24918

+ 1 cc to The Government Pleader, S.R.No.24937

KR/26/04/16

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