

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.01.2016

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

Writ Petition No.36817 of 2015
and
M.P.No.1 of 2015

1.Mrs.U.Vijaya
2.Mrs.U.Revathy
3.U.Dhanraj

...Petitioners

Vs.

1.The Secretary,
State Transport Authority,
Chepauk,
Chennai - 600 005.
2.The Regional Transport Authority,
Cum District Collector,
Tiruvallur,
Tiruvallur District.
3.The Regional Transport Officer,
Poonamallee,
Tiruvallur District.
4.The Motor Vehicle's Inspector,
Poonamallee,
Chennai - 600 056.
5.U.Chandran
6.U.Baskar

... Respondents

Prayer:-

Writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondents from effecting the transfer of bus route permit bearing Registration No.MSQ 1065-TDG No.5259 and present Registration No.TN 49 AD 2007 flying from Poonamallee to Perambakkam to any third party.

For Petitioner : Mr.S.Udayakumar

For R1 to R4 : Mr.M.S.Ramesh
Additional Government Pleader

O R D E R

This Writ petition has been filed, for the issuance of a Writ of Mandamus, forbearing the respondents from effecting the transfer of bus route permit, bearing Registration No.MSQ 1065-TDG No.5259, (present Registration No.TN 49 AD 2007) plying from Poonamallee to Perambakkam in favour of any third party.

2. When this Writ Petition is taken up for hearing, the learned Additional Government Pleader appearing for respondents 1 to 4 submits that prior to the filing of this Writ Petition, the second respondent-Regional Transport Authority, Poonamallee, vide proceedings, dated 31.08.2015, bearing R.No.57425/B3/2015, has already transferred the bus route permit from the name of the fifth respondent-U.Chandran to one Mrs.M.Nasima, with effect from 31.08.2015. The learned Additional Government Pleader also produced the said proceedings for reference of this Court, and submitted that the petitioners have to necessarily challenge the said proceedings in the manner known to law.

3. In view of the above, this Writ Petition is disposed of, by directing the petitioners to challenge the proceedings, dated 31.08.2015, issued by the second respondent under the provisions of law before the State Transport Appellate Tribunal, within a period of two weeks from the date of receipt of a copy of this order. If the petitioners challenges the said proceedings by way of Appeal/Revision, the same shall be entertained by the State Transport Appellate Tribunal, without raising any issue with regard to limitation. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sd

To

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

2.The Regional Transport Authority,
Cum District Collector,
Tiruvallur,
Tiruvallur District.

3.The Regional Transport Officer,
Poonamalee,
Tiruvallur District.

4.The Motor Vehicle's Inspector,
Poonamallee,
Chennai - 600 056.

+1cc to Mr.S. Udayakumar, Advocate, S.R.No.4604

+1cc to the Government Pleader, S.R.No.5020

VGI (CO)
EU (28/01/2016)

W.P.No.36817 of 2015

सत्यमेव जयते

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