

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.11.2016

CORAM

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

WP.No.39104/2016

M/s.M.O.Hasan Kothoos Maricar (P) Ltd.,
Rep.by its Director U.Saleem,
No.43, Thomas Arul Street,
Karaikal,Puducherry State. ... Petitioner

...vs...

The Commissioner
State Transport Authority,
Puducherry. ...Respondent

Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, to directing the respondent herein to issue certified copies of the permit grant proceedings detailed in the petitioner's representation dated 12.07.2016 (dealt with in No.07273/2016 forthwith.

For Petitioner : Mr.K.Hariharan

For Respondents: Mrs.Reena Ishwariya, AGP [Pondy]

ORDER

Heard Mr.K.Hariharan, learned counsel appearing for the petitioner and Mrs.Reena Ishwariya, learned Additional Government Pleader [Pondy] who accepts notice on behalf of the respondent and with the consent on either side, the writ petition is taken up for final disposal.

2 The petitioner who is a Stage Carriage Operator, operating in inter-state routes, is aggrieved by the grant of pucca permits in favour of the Puducherry Road Transport Corporation. To enable the petitioner to question the grant of pucca permit in favour of the State owned Transport Corporation, the petitioner requires certified copy of the permit issued to the Corporation for which purpose the petitioner has given a representation on 21.09.2016 to the respondent. This request is now pending before the respondent.

3 Mrs.Reena Ishwarya, learned Additional Government Pleader appearing for the respondent submitted that the petitioner is an individual Stage Carriage Operator and therefore, the respondent may be directed to consider the representation without issuing any positive direction.

4 Admittedly, the petitioner is a Stage Carriage Operator in the sector operating in inter-state routes. Therefore, if a pucca permit is granted in favour of a State Transport Corporation or any other private individual in the same, obviously the other sector operators would be the aggrieved persons and they are entitled to question such grant. Therefore, the locus standi of the petitioner to seek for the copy of the pucca permit granted in favour of the State Transport Corporation cannot be doubted.

5 Therefore, there will be a direction to the respondent to consider the representation of the petitioner dated 12.07.2016 and issue the certified copy of the permit granted to the Puducherry Road Transport Corporation, as sought for by the petitioner within a period of ten days from the date of receipt of a copy of this order.

6 The writ petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

The Commissioner,
State Transport Authority,
Puducherry.

+1cc to M/S.K.Hariharan, Advocate Sr.64107

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srg 05/12/2016