



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 19.09.2016

Coram

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD)No.17572 of 2016

and

W.M.P.(MD).Nos.12700 to 12702 of 2016

Selvan Minor M.Athipathi
(Rep. By father & Guardian
M.Maruthupandian).

. . . Petitioner

-Vs-

1. The District Collector,
Dindigul District,
Dindigul.

2. The Regional Transport Officer,
O/o.The Regional Transport Office,
Dindigul,
Dindigul District.

3. The Regional Transport Officer,
O/o.Regional Transport Office,
Madurai (North)
Madurai.

. . . Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records of the charge memo No.050755/A3/2016 dated on 07.09.2016 passed by the 2nd respondent herein to quash the same as illegal and consequently direct the 2nd respondent to issue temporary stage carriage permit to ply on the route Madurai to Dindigul (Via) Samyanallur, Nagari, Vadipatti Kodai Road and Gandhigramam instead of (Via) Samayanallur Nagari, Sholavandhan, Karattupatti, Pallapatti Cross, Kodai Road and Gandhigramam bus belongs to petitioner bearing Regn.No.TN59/BW 4145 in respect of Permit No.10/SC/DGL/2012 for the period of completion of the railway ply over in Sholvandhan by considering explanation dated 15.07.2016 within a time stipulated by this Court.

For petitioner
For Respondents

:Mr.A.R.Nambunayagam
:Mr.N.S.Karthikeyan
Addl. Govt. Pleader

ORDER

The petitioner has filed this writ petition, challenging the show-cause notice, dated 07.09.2016, issued by the second respondent.

WEB COPY

2. Heard both sides and perused the records carefully.

3. On perusal of the records, this Court is of the view that challenging the show-cause notice, the writ petition is not maintainable and the remedy open to the petitioner is to approach the respondent by giving explanation to the show-cause notice.

4. At this stage, the learned counsel for the petitioner would submit that the petitioner has already sent an explanation on 15.07.2016 to the show-cause notice, dated 07.09.2016 and the matter is now pending with the second respondent.

5. In the above circumstances, the second respondent is directed to conduct enquiry and pass orders within a period of four weeks from the date of receipt of a copy of this order, after giving opportunity to the petitioner.

6. With the above direction, the writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Dindigul District,
Dindigul.

2. The Regional Transport Officer,
O/o. The Regional Transport Office,
Dindigul,
Dindigul District.

3. The Regional Transport Officer,
O/o. Regional Transport Office,
Madurai (North)
Madurai.

+1cc to M/s.A.R.Nambunayagam, Advocate SR.No.53119

+1cc to Special Government Pleader SR.No.54152

W.P. (md) .No.17572 of 2016