



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.17793 of 2016

P.Gomathi

... Petitioner

-Vs-

1. The District Collector,
Thoothukudi District,
Thoothukudi.
2. The Regional Transport Officer,
Thoothukudi,
Thoothukudi District.
3. The Motor Vehicle Inspector,
Koilpatti,
Thoothukudi District.
4. P.Santha

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents 1 to 3 to forbear the 4th respondent not to ply in the route permitted to the petitioner and by considering his representation dated 01.07.2016.

For Petitioner	:	Mr.S.R.A.Ramachandran
For R1 to R3	:	Mr.S.Kumar Addl. Govt. Pleader
For R4	:	No appearance

O R D E R

This petition has been filed, seeking to direct the respondents 1 to 3 to forbear the 4th respondent not to ply in the route permitted to the petitioner and by considering his representation dated 01.07.2016.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3.

3. The case of the petitioner is that he is running a Mini Bus in the name and style of "Lakshmi Mini Bus" and was allotted the route by the 2nd respondent on 09.02.2016, i.e., Kovilpatti Bus Stand to Alampatti, via., Lakshmi Mill, Maniyachi Vilakku, Thonukal Vilakku and Alampatti; that the 4th respondent is also running a Stage Carrier Mini Bus Service in the name and style of S.S.R.B.S. Mini Bus and was allotted route from Kovilpatti Bus Stand to Nalatinpudur via, Lakshmi Mill, Inamaniyachi, Housing Unit, Sri Krishna Nagar, Bethel Hostel, Lakshmiammal Polytechnic, NEC, Railway Station Vilakku and Peter Road.



3.1. Routes for both the petitioner and the 4th respondent are same upto Inamaniyachi Vilakku, from where, they have to take diversions; that the 4th respondent Mini Bus, without any valid permit, enters into Thonukal Villakku, which is the route allotted to the petitioner to ply his vehicle; that the representation given to the 3rd respondent did not evoke any response and hence, the petitioner filed W.P.(MD) No.11254 of 2016, which was dismissed by this Court on the ground that there was no mention about specific time and date in the representation dated 03.06.2016; that thereafter the petitioner sent a detailed representation dated 01.07.2016 to the respondents 1 to 3 and even after receipt of the said representation, no action was taken against the 4th respondent, which forced the petitioner to file this petition.

4. Learned Additional Government Pleader would submit that it is agreeable for the respondents to consider the representation dated 01.07.2016 submitted by the petitioner and to pass orders thereon within a reasonable time frame.

5. Under such circumstances, this Court, without expressing any opinion on the merits of the matter, directs the 2nd respondent to consider the representation of the petitioner dated 01.07.2016 by providing opportunity of hearing to both the petitioner as well as the 4th respondent and to pass orders on the same on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this petition is disposed of. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Thoothukudi District,
Thoothukudi.
2. The Regional Transport Officer,
Thoothukudi,
Thoothukudi District.
3. The Motor Vehicle Inspector,
Koilpatti,
Thoothukudi District.

+1 cc to Mr.S.R.A.Ramachandran, Advocate in SR No.54047

+1 cc to the Spl.Govt.Pleader in SR No.54148

W.P(MD) No.17793 of 2016