

THE HON' BLE SRI JUSTICE T. SUNIL CHOWDARY

WRIT PETITION No.32113 of 2016

ORDER:

This writ petition is filed seeking a writ of Mandamus declaring the inaction on the part of the respondents in conducting joint route survey on Jagtial –Khanapur as illegal and arbitrary.

2. Heard Sri Jithender Rao Veeramalla, learned counsel for the petitioner and Sri A.Pavi Babu, the learned Standing Counsel for T.S.R.T.C., representing the respondents.

3. It is the case of the petitioner that the petitioner is running a bus on hire basis with T.S.R.T.C., in pursuance of Tender Notification dated 30.1.2009, from Jagtial to Khanapur. As per the terms and conditions of the agreement, the petitioner is operating the bus for 361 kilometers per day and the respondents have to pay for the same, whereas, the respondents are paying for 342 kilometers only. The case of the petitioner is that he is operating the bus from Old Bus Stand, Jagtial to Khanapur, whereas the respondents are paying hire charges from New Bus Stand, Jagtial to Khanapur. Whether the petitioner is operating the bus for 361 kilometers per day or 342 kilometers per day is purely a disputed question of fact.

4. A perusal of the record reveals that the petitioner submitted a representation to the third respondent - Depot Manager, Jagtial to conduct joint route survey on 13.07.2011 in order to ascertain the exact distance between Old Bus Stand to New Bus Stand,

Jagtial. For one reason or the other, the third respondent has not disposed of the representation of the petitioner.

5. At the time of arguments, the only relief sought by the petitioner is to direct the respondents 2 and 3 to dispose of his representation dated 13.07.2011. Learned standing counsel for T.S.R.T.C. also consented for the same.

6. In view of the submissions made by both the counsel, this Court is not inclined to go into the merits of main case.

7. Having regard to the facts and circumstances of the case and also the submissions made by both the counsel, the respondents are hereby directed to dispose of the representation of the petitioner dated 13.07.2011 as expeditiously as possible, preferably, within a period of four weeks from the date of receipt of a copy of this order.

8. With the above direction, this writ petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

21st September, 2016.
Rns

T.SUNIL CHOWDARY, J.