

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2017

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.10959 of 2017
and
W.M.P.No.11931 of 2017

M.Bhoopathy

.. Petitioner

Vs

The Regional Transport Officer
Namakkal (South)

.. Respondent

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondent from issuing any proceedings granting 3+1 Diesel Autorickshaw permit or issue any permit pursuant to any proceedings till the disposal of the petitioner's representations received by the authority on 21.12.2016 and 02.02.2017 as directed by this Court by its order dated 20.02.2017 made in W.P.No.4126/2017.

For Petitioner : Mr.M.Govindarajan

For Respondent : Mrs.A.Sri Jayanthi,
Special Government Pleader

ORDER

Heard Mr.M.Govindarajan, learned counsel for the petitioner and Mrs.A.Sri Jayanthi, learned Special Government Pleader appearing for the respondent.

2. The petitioner, earlier approached this Court and filed a writ petition in W.P.No.4126 of 2017 for an identical relief as in the present writ petition. The said writ petition was disposed of on 20.02.2017 issuing the following directions:

"5. Accordingly, the writ petition is disposed of with a direction to the respondents to consider and, thereafter, pass a speaking order vis-a-vis the aforementioned representations made by the petitioner, baring in mind the observations made by this Court in the orders passed in the aforementioned writ petition.

5.1. Let the needful be done, as expeditiously as possible, though, not later than eight (8) weeks from the date of receipt of a copy of the order."

3. According to the petitioner, in spite of the above direction and his representation dated 20.04.2017, no orders were passed. Therefore, he has come forward with the present writ petition. The prayer sought for in the present writ petition is identical to the earlier prayer. The above direction has been issued in the earlier writ petition filed by the petitioner for the same relief. Much earlier, the petitioner filed a writ petition in W.P.No.40809 of 2015 before the Hon'ble First Bench as a Public Interest Litigation and the said writ petition was disposed of by order dated 13.08.2016, which pertain to vehicular pollution. Thus, it appears that the petitioner has been re-litigating the issue by filing several writ petitions.

4. The learned Special Government Pleader appearing for the respondent submitted that the order and direction issued in W.P.No.4126 of 2017 has been complied with and the petitioner's representation has been disposed of by the Regional Transport Authority, Namakkal (South), by order dated 11.05.2017 in Letter No.11807/A3/2017, which was sent to the petitioner by Registered Post Acknowledgement Due.

5. Hence, for all the reasons stated above, the relief sought for in this writ petition cannot be granted and the writ petition is closed. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

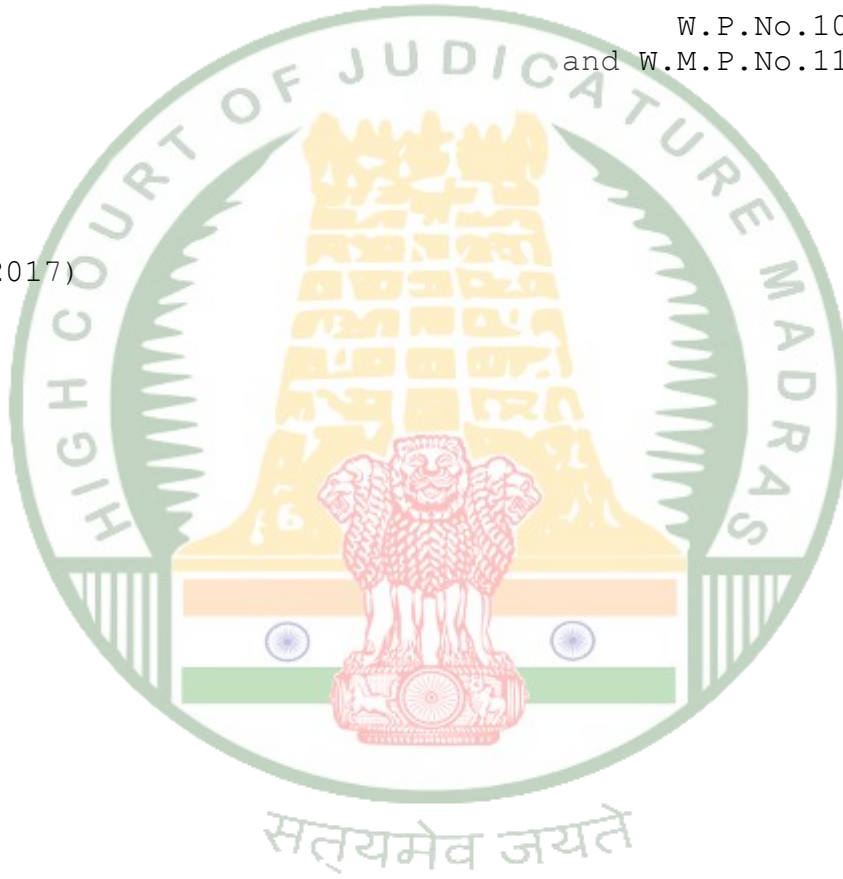
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To

The Regional Transport Officer
Namakkal (South)

W.P.No.10959 of 2017
and W.M.P.No.11931 of 2017

AR(CS IV)
CU(12/07/2017)



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