

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.06.2017

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HON'BLE MR.JUSTICE M.V.MURALIDARAN

W.A.No.1132 of 2010 and
M.P.No.2 of 2010

The Secretary,
Regional Transport Authority,
Tirupur South, Veerapandi,
Tirupur - 641 605.

...Appellant

vs.

R.D.Vanithamani

....Respondent

Prayer: Writ Appeal filed Under Clause 15 of the Letters Patents Act, to set aside the order dated 12.12.2008 made in W.P.No.29338 of 2008 directing the respondent herein to consider the application of the petitioner dated 23.10.08 for the grant of two 5 seated share Auto rickshaw permit to ply in Tirupur town.

For Appellant : Mr.K.Dhananjayan
Special Government Pleader

For Respondent : No appearance

J U D G M E N T

K.K. SASIDHARAN, J.

This intra court appeal is directed against the common order dated 12 December, 2008 in W.P.No.29338 of 2008, directing the appellant to consider the case of the respondent afresh, without rejecting it on the ground shown in the order under challenge in the writ petition.

2. The learned Special Government Pleader by producing a copy of the order dated 16 May 2011 submitted that the case of the respondent was considered pursuant to the direction given by this Court and a decision was taken to reject her application on the ground of seniority. According to the learned Special Government Pleader, some of the aggrieved persons have filed

appeals before the State Transport Appellate Tribunal, Chennai. The appeals were dismissed with an observation that in case of increase in number of permits, their applications should also be considered.

3. None appeared for the respondent.

4. The learned single Judge by way of a common order directed the appellant to consider the case of the respondent on merits. The learned single Judge made an observation that the application should not be rejected on the ground indicated in the impugned order. Subsequently, the appellant considered the matter on merits. The appellant found that there were several applicants senior to the respondent. Since only 50 permits were earmarked for Tiruppur district, the application of the respondent was rejected. In short, 50 permits were given taking into account the seniority position of the applicants.

5. In view of the subsequent events, nothing survives for adjudication in the intra court appeal. The intra court appeal is dismissed as infructuous on account of the order dated 16 May, 2011 on the file of the Regional Transport Authority, Tirupur. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

svki

To:

The Secretary,
Regional Transport Authority,
Tirupur South, Veerapandi,
Tirupur - 641 605.

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W.A.No.1132 of 2010

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