

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.12.2017

CORAM

THE HONOURABLE Mr. JUSTICE V.PARTHIBAN

W.P.No.4788 of 2011

M/s.Nanda Transports
Represented by its Managing Partner
36 Alagesan Road
Saibaba Colony,
Coimbatore 11.

... Petitioner

Vs.

1.Regional Transport Authority/District Collector,
Coimbatore District,
Coimbatore.

2.The Secretary
Regional Transport Authority,
Balasundaram Road,
Coimbatore 18.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the 1st respondent made in proceeding R.No.31150/ A4/2010 dated 3.8.2010 and quash the same and direct the respondents to permit the petitioner herein to make use of Coimbatore Bus stand as per permit conditions or in the alternative to make use of both the bus stands.

For Petitioner : Mr.M.Palani

For Respondents : Mr.S.V.Duraisolaimalai
Additional Government Pleader

ORDER

The issues raised in this writ petition, according to both the learned counsels appearing for the petitioner as well as the respondents, are covered under the orders passed by the learned Single Judge of this Court in a batch of writ petitions in W.P.No.14506 of 2010 etc. batch dated 24.02.2012. The learned Single Judge of this Court, in paragraph 16 of the order, has held as follows:

"16.In view of the above stated position, I am of the considered view that the impugned orders of the first respondent dated 15.06.2010, 28.07.2010 and 03.08.2010 are liable to be set aside and accordingly set aside and these writ petitions stands allowed. The petitioners are directed to use the new bus stand at Mettupalayam Road as well as Gandhipuram bus stand at Coimbatore City and while operating from Mettupalayam to Coimbatore City or from Coimbatore City to Mettupalayam and beyond, the buses shall stop at the new bus stand at Mettupalayam Road so as to enable the passengers to board and de-board the buses. It is needless to say that the petitioners shall pay the necessary levies/charges to the concerned authorities for the use of both the bus stands. Consequently, connected miscellaneous petitions are closed. However, no order as to costs."

2.Therefore, the learned counsel appearing for the petitioner prayed for similar directions may be issued in this writ petition.

3.In view of the above stated position, the impugned order of the first respondent dated 03.08.2010 is liable to be set aside and accordingly, set aside and the Writ Petition stands allowed. The petitioner is directed to use the new bus stand at Mettupalayam Road as well as Gandhipuram bus stand at Coimbatore City and while operating from Mettupalayam to Coimbatore City or from Coimbatore City to Mettupalayam and beyond, the buses shall stop at the new bus stand at Mettupalayam Road so as to enable the passengers to board and de-board the buses. It is needless to say that the petitioner shall pay the necessary levies/charges to the concerned authorities for the use of both the bus stands.

4.With the above direction, the Writ Petition is allowed. No costs.

-Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

Sgl

To

1.Regional Transport Authority/District Collector,
Coimbatore District,
Coimbatore.

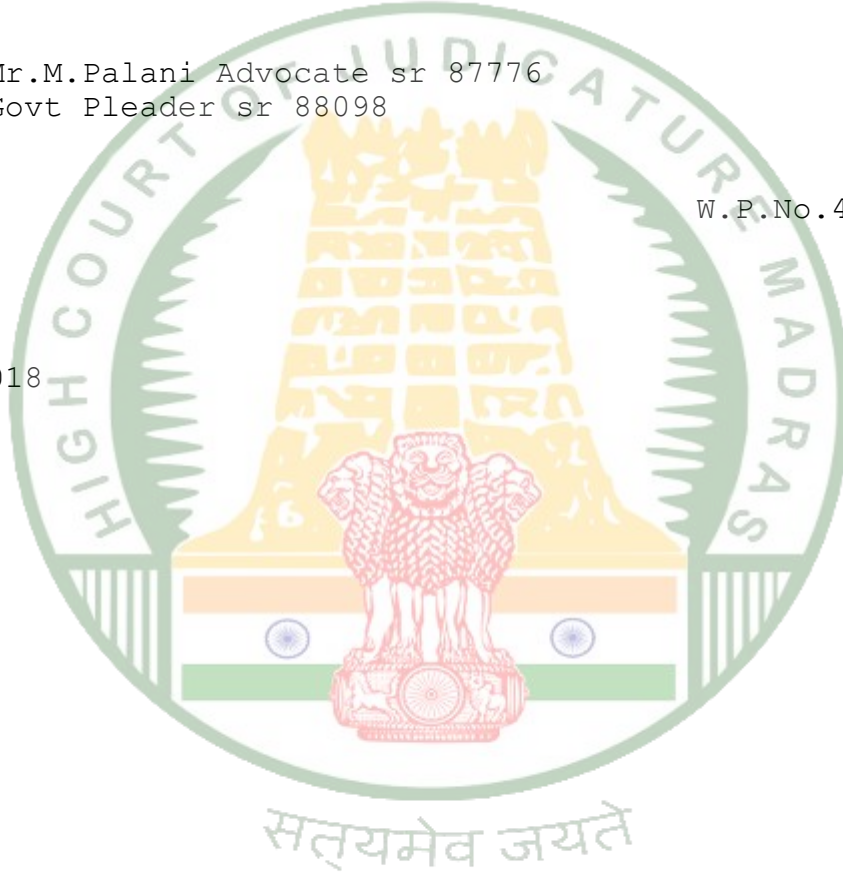
2.The Secretary
Regional Transport Authority,
Balasundaram Road,
Coimbatore 18.

+1 cc to Mr.M.Palani Advocate sr 87776

+1 cc to Govt Pleader sr 88098

W.P.No.4788 of 2011

gj (co)
aa08/01/2018



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