

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 05.01.2017
CORAM:
THE HONOURABLE MR.JUSTICE RAJIV SHAKDHER
W.P.NO.193 OF 2017

Kalaiarasan

.. Petitioner

Vs.

1.The Secretary
State Transport Authority
Puducherry,
Puducherry State.

2.The District Collector
Karaikal District,
Karaikal,
Puducherry State.

3.The Assistant Secretary
State Transport Authority
RTO Office, Karaikal,
Karaikal District,
Puducherry State.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 13.12.2016 to renew the application for license dated 12.04.2016 as per the previous route mentioned in PCOC No.6/PY/CC/TM/2011 dated 19.05.2011 to 14.04.2016 earmarking the routes Karaikal Medical College, GH Kasakudmedu - CRC Shed, Karaikal - Neravy Ist Cross Street - Neravy - Amman Koil Pathu - Karaikalmedu - Killinjalmedu - Kasakudymedu in accordance with law to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu
For Respondent : Mr.Harin

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O R D E R

1. Issue notice. Mr.Harin, learned counsel, accepts notice for the respondents 1 to 3.

1.1. With the consent of learned counsels for the parties, the writ petition is taken up for hearing and final disposal.

2. The petitioner avers that he obtained a permit on 19.05.2011, to ply his vehicle, bearing Registration No.PY-02-K-2238, for a period of five years, qua the following route:-

"Karaikal Medical College, GH, Kasakudymedu
- CRC Shed, Karaikal - Neravy 1st Cross Street -
Neravy - Amman Koil Pathu - Karaikalmedu -
Kilinjalmadu - Kasakudymedu."

3. It appears that the petitioner was issued a notice, dated 09.12.2016, by the State Transport Authority, Karaikal, for change of route. This notice, evidently, is based on the view reached by the Route Allotment Committee. The petitioner, being aggrieved by this notice, has submitted a representation dated 13.12.2016, to renew the permit in respect of the aforementioned vehicle, based on the original route.

4. I have put to the learned counsel for the respondents as to whether the respondents would be in a position to consider the representation, before taking a decision, with regard to the change in route.

5. Counsel for the respondents says that the representation will be considered.

6. Accordingly, the writ petition is disposed of, with a direction to the respondents, to consider the representation of the petitioner, dated 13.12.2016, before taking a decision as to whether or not, the route change as indicated in the notice dated 09.12.2016, should take place in the petitioner's case.

7. The respondents will pass a speaking order in that behalf; a copy of which will be supplied to the petitioner. Furthermore, before passing an order, the respondents will afford a personal hearing in the matter to the petitioner.

8. Needless to say that the aforementioned exercise will be done with due expedition, though, not later than six weeks from the date of receipt of copy of the order.

9. The writ petition is disposed of with the above said direction. No costs.

-Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Secretary
State Transport Authority
Puducherry,
Puducherry State.

2.The District Collector
Karaikal District,
Karaikal,
Puducherry State.

3.The Assistant Secretary
State Transport Authority
RTO Office, Karaikal,
Karaikal District,
Puducherry State.

+1 cc to Mr.R.Sankarasubbu Advocate sr 860/16
+1 cc to Government Pleader (Pondy) sr 1156/16

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aa06/01/2017



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