

In the High Court of Judicature at Madras
Dated: 14.03.2017
Coram
The Honourable Mr.JUSTICE K.RAVICHANDRABAABU

W.P.No.3287 of 2016
and
W.M.P.Nos.2699 and 2700 of 2016

R.Ramesh

.... Petitioner

Vs.

- 1.The Regional Transport Authority,
Coimbatore (south),
Coimbatore.
- 2.The Regional Transport Officer,
Coimbatore (South),
Coimbatore. Respondents

Prayer:Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorari to call for the records of the first respondent vide R.No.99281/A3/2010 dated 24.12.2013 in revoking the renewal of the mini bus permit of the petitioner on the route "Coimbatore Corporation Office to Gandhi Nagar" in respect of vehicle No.TN 37 W 0018 and to quash the same.

For Petitioner : Mr.S.Govindraman
For Respondents : Mr.C.Jagdish
Special Government Pleader (MV&MM)

O R D E R

The petitioner is aggrieved against the order refusing to renew the mini bus permit.

2.Heard both sides.

3.It is seen that as against the said order, the petitioner is having an alternative appeal remedy before State Transport Appellate Tribunal, as provided under Section 89 of the Motor Vehicles Act, 1988. Without doing so, the petitioner has approached this court and filed the present writ petition. Therefore, this Court is not inclined to entertain this writ petition, as the petitioner has to exhaust such alternative remedy provided under the statute.

4. Accordingly, this writ petition is disposed of, by granting liberty to the writ petitioner to approach the appellate authority and file an appeal challenging the order impugned in this writ petition. It is open to the petitioner to raise all the grounds before the appellate authority in support of his contention. It is made clear that this Court is not expressing any view on the merits of the claim made by the petitioner, as it is for the appellate authority to consider and decide. It is open to the petitioner to file appropriate application seeking for condonation of delay before the appellate authority and if any such application is filed, the same shall be considered by the appellate authority, also by taking note of the pendency of this writ petition and the order passed herein. No costs. The connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vri

To

1. The Regional Transport Authority,
Coimbatore (south),
Coimbatore.

2. The Regional Transport Officer,
Coimbatore (South),
Coimbatore.

nr (CO)
md (21/03/2017)

सत्यमेव जयते

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