



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) .No.11401 of 2017

and

W.M.P. (MD) No.8781 of 2017

T.Nithin

...Petitioner

Vs.

1.The District Collector cum Regional
Transport Authority,
Kanyakumari District,
Kanyakumari.

2.The Regional Transport Officer,
Marthandam, Kanyakumari District.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 1st respondent to consider the petitioner's representation dated 25.04.2017 transferring two Mini Buses bearing Registration Nos.TN 74 Y 4063 and TN 74 Y 2747 plying on the opposite route Thuckalay to Monday Market and Monday Market to Thuckalay based on the settlement Deed in Document No.48 of 2016, dated 22.11.2016 as a succeeding to the possession of two Mini buses and till the disposal of application, the respondents may issue temporary permit.

For Petitioner :Mr.A.C.Asaithambi

For Respondents :Mr.N.S.Karthikeyan, AGP

ORDER

This Writ petition has been filed, for issuance of a Writ of Mandamus, to direct the 1st respondent to consider the petitioner's representation dated 25.04.2017 transferring two Mini Buses bearing Registration Nos.TN 74 Y 4063 and TN 74 Y 2747 plying on the opposite route Thuckalay to Monday Market and Monday Market to Thuckalay based on the settlement Deed in Document No.48 of 2016, dated 22.11.2016 as a succeeding to the possession of two Mini buses and till the disposal of application, the respondents may issue temporary permit.

<https://hcservices.ecourts.gov.in/Echords> 2. Although the Writ Petition is filed for issuance of a Writ of Mandamus to give positive direction to the respondents, the learned counsel for the petitioner would submit that the



petitioner would be satisfied, if a direction is issued to the respondents to consider the petitioner's representation for name transfer and pass appropriate order within the time stipulated by this Court.

3. Having regard to the limited scope of the prayer that is now sought before this Court by the learned counsel for the petitioner, without expressing any opinion on the merits of the petitioner's case, this Court is inclined to pass the following direction:

3.a. The second respondent is directed to consider the petitioner's representation dated 25.04.2017 and subsequent reminder dated 04.05.2017 and pass orders on the same on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

4. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar.

To

1. The District Collector cum Regional
Transport Authority,
Kanyakumari District,
Kanyakumari.

2. The Regional Transport Officer,
Marthandam, Kanyakumari District.

+1CC to M/S.A.C.Asaitambi, Advocate, SR.No. 24750

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Arul
AM/SV MMS/SAR 1/30.06.2017/2P/4C