



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.11911 of 2017

K.Kondalsamy

: Petitioner

Vs.

1. The District Collector cum
Regional Transport Authority,
Thoothukudi District,
Thoothukudi.
2. The Tamil Nadu State Transport Corporation,
Tirunelveli Division,
Represented by its Managing Director,
Tirunelveli.
3. The Tamil Nadu State Transport Corporation,
Madurai Division,
Represented by its Managing Director,
Madurai

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to ensure all the buses belong to second and third respondents plying between Tirunelveli-Madurai, Nagercoil-Madurai has to enter into Kayathur Bus Stand for the purpose of picking up and alight passengers from Kayathar pursuant to their representation dated 01.08.2016.

For Petitioner	: Mr.D.Srinivasaragavan
For R.1	: Mr.M.Govindan
	Special Government Pleader
For R.2 & R.3	: Mr.K.Sathyasingh

O R D E R

[Order of the Court was made by G.R.SWAMINATHAN, J.]

<https://hcservices.ecourts.gov.in/hcservices/> This writ petition has been filed for directing the respondents authorities to ensure that all the buses belonging to second and third respondents plying between Tirunelveli-Madurai,



Nagercoil-Madurai enter into Kayathur Bus Stand for the purpose of picking up and alighting passengers from Kayathar. The petitioner had already submitted a representation dated 01.08.2016 in this regard. Since no action was taken, the present writ petition came to be filed.

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2. The learned Standing Counsel for the Transport Corporation filed counter affidavit and listed the particulars of all Transport Corporation buses which are entering the Kayathar Bus stand. The learned Standing Counsel would point out that a Peace Committee meeting was held on 01.02.2016 in the office of the Revenue Divisional Officer, Kovilpatti and that it was agreed that except the By-pass rider buses, other buses plying in the said route would go through Kayathar Bus stand. But the writ petitioner would point out that even non By-pass rider buses also falsely display and by-pass riders also skip the Kayathar bus stand.

3. In view of the counter affidavit filed by the Tamil Nadu State Transport Corporation, we deem it fit to give a direction that it is the duty of the respondent authorities to ensure that the non by-pass riders do not skip Kayathar Bus stand. It is stated that as many as 44 route buses of the second respondent ply through the Kayathar bus stand. Similarly, as many as 25 route buses of the third respondent also ply through the Kayathar Bus stand and that 10 long distance buses also touch the Kayathar Bus stand. This list dated 16.08.2017 filed by the learned Standing Counsel for the second and third respondents is placed on record. The second and third respondents shall issue a specific circular instructing the drivers of the respective route buses to ply through the Kayathar Bus stand. They shall be warned that if they skip Kayathar Bus stand, disciplinary action would be taken against them. It is open to the writ petitioner to approach this Court, if the respondents do not adhere to the assurance and undertaking given in this writ proceeding.

4. With these directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

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



2. The Managing Director,
Tamil Nadu State Transport Corporation,
Tirunelveli Division,
Tirunelveli.

3. The Managing Director,
Tamil Nadu State Transport Corporation,
Madurai Division,
Madurai.

+ 1 CC TO Mr.D.SRINIVASA RAGHAVAN, ADVOCATE IN SR No. 72755
+ 2 CC TO Mr.K.SATHIYA SINGH, ADVOCATE IN SR No. 72837
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 72944

TSG

TE/KP/SAR-I : 13/09/2017 : 3P/8C

Order made in
W.P. (MD) No.11911 of 2017
dated: 16.08.2017