



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.VENUGOPAL
AND
THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.20334 of 2017

V.Periasamy : Petitioner

-Vs-

- 1.The Assistant Secretary-I,
O/o. The Transport Commissionerate,
Chepauk, Chennai-5.
- 2.The District Collector,
Collectorate,
Tuticorin District,
Tuticorin.
- 3.The General Manager,
Tamil Nadu Road Transport Corporation,
Tirunelveli.
- 4.The Revenue Divisional Officer,
Tiruchendur Division,
Tuticorin District.
- 5.The Tahsildar,
Tiruchendur Taluk,
Tuticorin District.
- 6.The Road Transport Officer,
Tiruchendur,
Tuticorin District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the Respondents 1 to 6 to take immediate and effective steps in order to direct the buses that passes through "Angamangalam" bus stop to stop in the concerned bus stop; and further, direct the Respondent Nos.1 to 6 to monitor the same.

For Petitioner

: Mr.J.Ashok

For Respondents 1,2&4to6

: Mr.M.Govindan,

Special Government Pleader

For Respondent No.3

: Mr.K.Sathiyasingh

O R D E R

[Order of the Court was made by M.VENUGOPAL, J.]

Mr.M.Govindan, Learned Special Government Pleader, takes notice for the Respondents 1,2 and 4 to 6. Mr.K.Sathiyasingh, Learned Standing Counsel, takes notice for the third Respondent.

2. Heard both sides. No counter is filed on behalf of the Respondents.

3. By consent, the main Writ Petition itself is taken up for final disposal.

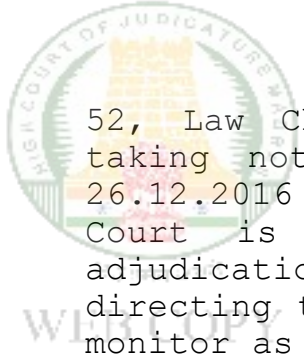
4. According to the Petitioner, there is a bus stop near Kurumboor in the name 'Angamangalam' in his Region. More than 500 families reside in and around this locality. All the Government as well as the private buses plying between Tirunelveli and Tiruchendur pass through this stop and there is no substitute route other than this.

5. The version of the Petitioner is that by considering the residents of this locality, the Transport Authorities had already directed the bus conductors and the drivers of city buses and ordinary urban buses to stop their respective buses in the Angamangalam bus stop in order to serve the public in that locality. Per contra, the buses do not stop in the said bus stop as directed by the concerned officials, as a result of which, the residents and the public in the locality suffer a lot.

6. The Petitioner, therefore, had sent a representation before the first Respondent/Assistant Secretary -I, Office of the Transport Commissionerate, Chepauk, Chennai-5, marking copies of the same to Respondent Nos.2 to 6 on 18.07.2016. However, there appears to be no prompt and proper action taken from the side of the Respondents 1 to 6. Hence, the Petitioner had issued a legal notice to the Respondents 1 to 6 through his counsel dated 18.12.2016. In spite of the fact that the Respondents 1 to 6 had received the legal notice, no effective action has been taken by the concerned in the subject matter in issue.

7. Conversely, it is the submission of the Learned Special Government Pleader that the Regional Transport Officer, Tuticorin, had addressed a communication to the learned Advocate David Ganesan, to the effect that the Motor Vehicle Inspector Grade-I, Tiruchendur, had inspected the Angamangalam bus stop and he had found out that all the buses do stop in the said bus stop and the fact of whether buses do stop at the said Angamangalam bus stop or otherwise, are being monitored, etc.

8. In view of the categorical reply addressed by the Regional Transport Officer, Tuticorin to the learned Advocate, David Ganesan,



52, Law Chambers, High Court Buildings, Madurai Bench and also taking note of the fact that the Petitioner's complaint dated 26.12.2016 had been addressed by the authorities concerned, this Court is of the considered view that nothing survives for adjudication in the present subject matter in issue, except by directing the Regional Transport Officer, Tuticorin to periodically monitor as to whether the buses do stop at Angamangalam Bus stop and in this regard, it is open to him to depute the Motor Vehicle Inspector Grade-I and if, for any reason, the buses do not stop at the Angamangalam bus stop, then an effective, efficacious and diligent instruction may kindly be given to the concerned authorities, in terms of the reply dated 06.01.2017.

9. With the aforesaid observation(s)/direction(s), the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub-Assistant Registrar

To

1.The Assistant Secretary-I,
O/o. The Transport Commissionerate,
Chepauk, Chennai-5.

2.The District Collector,
Collectorate,
Tuticorin District, Tuticorin.

3.The General Manager,
Tamil Nadu Road Transport Corporation,
Tirunelveli.

4.The Revenue Divisional Officer,
Tiruchendur Division,
Tuticorin District.

5.The Tahsildar, Tiruchendur Taluk, Tuticorin District.

6.The Road Transport Officer,
Tiruchendur, Tuticorin District.

7.The Regional Transport Officer, Tuticorin District

+One cc to The Special Government Pleader, SR.No.85363

+One cc to Mr.J.Ashok, Advocate, SR.No.85376

SML

RL/10C/3P/SV/MMS/SAR1/16/11/2017

<https://hcservices.ecourts.gov.in/hcservices/>

Order made in

W.P.(MD)No.20334 of 2017

Dated: 03.11.2017