

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.20135 of 2010
and MP.No.1 of 2010

A.Shanmugavadivel

... Petitioner

Vs.

1.Regional Transport Authority/District Collector
Coimbatore District, Coimbatore.

2.The Secretary,
Regional Transport Authority,
Balasundaram Road,
Coimbatore - 18.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent made in proceeding R.No.31150/A4/2010 dated 3.8.2010 and quash the same and direct the respondents to permit the petitioner herein to make use of Gandhipuram Bus stand as per permit conditions or in the alternative to make use of both the bus stands.

For Petitioner : Mr.M.Palani

For Respondents : Mr.J.Ramesh, AGP

सतयमेव जयते
O R D E R

This writ petition has been filed to quash the order dated 03.08.2010 passed by the first respondent, whereby, the petitioner, who is running the bus services between Mettupalayam and Coimbatore upto Gandhipuram bus stand, was directed to terminate his services at Goundampalayam, the newly constructed bus stand.

2.When the matter was taken up for consideration, the learned counsel for the petitioner as well as the learned Additional Government Pleader appearing for the respondents submitted that the issue involved herein had already been considered by this Court in WP.Nos.14506 to 14509 of 2010 etc.

batch of cases and by order dated 24.02.2012, those writ petitions were allowed in the following lines:

"In view of the above stated position, I am of the considered view that the impugned orders of the first respondent dated 15.06.2010, 28.07.2010 and 03.08.2010 are liable to be set aside and accordingly, set aside and these writ petitions stand allowed. The petitioners are directed to use the new bus stand at Mettupalayam Road as well as Gandhipuram bus stand at Coimbatore City and while operating from Mettupalayam to Coimbatore City or from Coimbatore City to Mettupalayam and beyond the buses shall stop at the new bus stand at Mettupalayam Road so as to enable the passengers to board and de-board the buses. It is needless to say that the petitioners shall pay the necessary levies/charges to the concerned authorities for the use of both the bus stands. Consequently, connected Miscellaneous Petitions are closed. However, no order as to costs.

3. Following the aforesaid decision, this writ petition is allowed by setting aside the order impugned herein. The petitioner is directed to use the new bus stand at Mettupalayam Road as well as Gandhipuram bus stand at Coimbatore City and while operating from Mettupalayam to Coimbatore City or from Coimbatore City to Mettupalayam and beyond the buses shall stop at the new bus stand at Mettupalayam Road so as to enable the passengers to board and de-board the buses. It is needless to say that the petitioner shall pay the necessary levies/charges to the concerned authorities for the use of both the bus stands. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS v)

//True Copy//

Sub Assistant Registrar

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To

1. Regional Transport Authority/District Collector
Coimbatore District, Coimbatore.

2. The Secretary, Regional Transport Authority,
Balasundaram Road,
Coimbatore - 18.

+1cc to Mr.M.Palani , Advocate SR.No. 43416

W.P.No.20135 of 2010

ASK(18/09/2018)