

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17-09-2018

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.24654 of 2017

And

WMP No.26017 of 2017

G.Poongavanam ... Petitioner

..Vs..

1.The Secretary to Government,
Office of the Secretary to Government,
Transport Department,
Secretariat,
Fort St. George,
Chennai-600 009.

2.The District Collector,
Gunndu Salai,
Semmandalam,
Cuddalore District,
Tamil Nadu □ 607 106.

3.The Commissioner (Transport Department),
Office of the Commissioner,
Transport Department,
Secretariat,
Fort St. George,
Chennai-600 009.

4.The Regional Transport Officer,
Office of the Regional Transport,
Cuddalore District,
Tamil Nadu □ 607 106.

5.The Break Inspector,
Office of the Break Inspector,
Panruti Division,
Cuddalore District,
Tamil Nadu □ 607 106.

6.Venkatakrishnan

7.Sri Guru Mini Bus Service (TN 46B 4131),

Represented by its Owner Mrs.G.Malliga,
W/o.Gunasekaran,
4th Street, K.V.K.Complex,
Opp. to DSP Office,
Panruti,
Cuddalore District.

8.Sri Guru Mini Bus Service (TN 45 W 0639),
Represented by its Owner Mr.Gunasekaran,
4th Street, K.V.K.Complex,
Opp. to DSP Office,
Panruti,
Cuddalore District.

9.Sri Sakthi Vinayagar Mini Bus Service (TN 63, 7277),
Represented by its Owner Mrs.S.Sumithra,
W/o.Mr.Sakthivel,
No.38, Jahir Hussain Road,
Panruti,
Cuddalore District.

10.Sri Iyyappan Mini Bus Service (TN 31 No.311),
Represented by its Owner Mr.G.Ramu,
S/o.Gopal,
No.28-A, Daivarsan Road,
Panruti,
Cuddalore District.

11.Sri Iyyappan Mini Bus Service (TN 27 No.249),
Represented by its Owner Mr.G.Ramu,
S/o.Gopal,
No.28-A, Daivarsan Road,
Panruti, Cuddalore District.

12.Sri Kolanjiyappar Mini Bus Service (TN 51, U3537),
Represented by its Owner Mrs.T.Raji,
W/o.Mr.Thandapani,
No.39, Sekku Medu Street,
Panruti,
Cuddalore District.

13.Sri Kolanjiyappar Mini Bus Service (TN 51, V 5001),
Represented by its Owner Mrs.T.Raji,
W/o.Mr.Thandapani,
No.39, Sekku Medu Street,
Panruti,
Cuddalore District. ... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 5 to take action against the respondents 6 to 13 for violating the permit conditions and forbearing the respondents 7 to 13 from plying their vehicles in the route allotted to the petitioner.

For Petitioner : Ms.S.Vaitheeswari

For Respondents-1to5 : Mr.R.S.Selvam,
Government Advocate.

For Respondent-6 : Mr.K.Gandhikumar

For Respondents-7to13 : Mr.Ilaya Raja Kandasamy

O R D E R

The grievance of the writ petitioner is that the respondents 7 to 13 are illegally plying their Mini Buses contrary to the conditions imposed.

2. The learned counsel for the writ petitioner states that the said route was allotted in favour of the writ petitioner and now the respondents 7 to 13 are illegally plying their Mini Buses in the said route in violation of the Rules and the Regulations.

3. In this regard, the writ petitioner submitted a complaint before the District Collector to initiate action against the respondents 7 to 13 for violating the conditions stipulated in the license. However, no action has been taken by the District Collector in this regard. Thus, the writ petitioner is constrained to move the present writ petition.

4. It is needless to state that the terms and conditions stipulated in the license must be followed by the holders of the license without any violation. In the event of any complaint, the authorities competent are bound to conduct an enquiry and initiate appropriate actions in accordance with law.

5. This being the principles to be followed, the second respondent/District Collector is directed to consider the representation submitted by the writ petitioner on 21.8.2017 and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and all other relevant documents and proofs along with the order passed in this writ petition.

6. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes

Internet : Yes

Speaking order

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To

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S.M.SUBRAMANIAM, J.

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