

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2018

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.15611 of 2017
and
WMP.No.16909 of 2017

A.G.Elangovan

Proprietor, Arunai Bus Services

No.29, Vanatharayanpalayam Street Road,
Thiruvannamalai.

.. Petitioner

Vs.

1. The Tamil Nadu State Transport Corporation Ltd.,
Rep. by its Managing Director
Villupuram Division, Villupuram.

2. The Regional Transport Authority
cum Collector
Thiruvannamalai District
Thiruvannamalai.

3. The Regional Transport Officer
Thiruvannamalai District,
Thiruvannamalai.

4. The Regional Transport Officer
Villupuram District
Villupuram.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, forbearing the 1st respondent from operating its stage carriage services bearing Regn.No.TN 32 N 2390 on the route Villupuram to Thiruvannamalai contrary to the timings assigned by the 4th respondent under proceedings dated 28.07.2003.

For Petitioner: Mr.M.Palani

For Respondents: Mr.A.Antony Arockiyaraja for R1

Mr.D.Suriyanarayanan
Additional Government Pleader
for R2 to R4.

O R D E R

Heard Mr.M.Palani, learned counsel for the petitioner, Mr.A.Antony Arockiyaraja, learned counsel for the first respondent and Mr.D.Suriyanarayanan, learned Additional Government Pleader for the respondents 2 to 4.

2. The petitioner is a stage carrier operator. His grievance against the first respondent is that they are not operating their bus in accordance with the route permit and the timings given to them for plying their bus between Villupuram and Thiruvannamalai, as stipulated in the timing issued for Route No.215/C issued by the Secretary, Regional Transport Authority, Villupuram dated 28.07.2003 and a further direction issued by the Regional Transport Officer, Villupuram, through his communication dated 15.05.2017, to strictly adhere to the timings accordingly.

3. After notice, the matter is listed today before this Court. The first respondent filed a counter affidavit.

4. The learned counsel for the first respondent submitted that the allegations of the petitioner is not well founded, since the first respondent is strictly complying with the timing schedule already given to them, as per the route permit and therefore, the allegations made against the first respondent is not correct. He also fairly submitted that the first respondent will certainly, stick on to the timing schedule given already in respect of the subject matter route permit and therefore, this writ petition can be disposed of, by recording the above said submissions.

5. The learned counsel for the petitioner submitted that even though such undertaking is now being given before this Court, the first respondent will deviate the timings and therefore, it is for the concerned authorities namely, the respondents 2 to 4 to take action against the first respondent, if there is any violation.

6. Needless to say that the first respondent to whom the permit is given in respect of the subject matter route has to stick on to the timings in accordance with the schedule given by the competent authorities without making any deviation or violation. As the learned counsel for the first respondent submitted before this Court that such timings is strictly followed, this writ petition is disposed of, by directing the first respondent to strictly follow the timings given by the concerned authorities in respect of the subject matter route permit, without indulging in any deviation or violation of such timings. If the petitioner is having any grievance in future

with regard to such timings, it is open to him to approach the competent authorities and give a complaint against such violation. If any such complaint is made, it is for the concerned authorities to consider the same and take appropriate action against the erring person. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Tamil Nadu State Transport Corporation Ltd.,
Rep. by its Managing Director
Villupuram Division, Villupuram.
2. The Regional Transport Authority
cum Collector
Thiruvannamalai District
Thiruvannamalai.
3. The Regional Transport Officer
Thiruvannamalai District,
Thiruvannamalai.
4. The Regional Transport Officer
Villupuram District
Villupuram.

+1cc to M/s.M.Palani, Advocate Sr.No.6661

+1cc to Government Pleader Sr.No.6965

+1cc to Mr.A.Antony Arockiaraja, Advocate Sr.No.6732

GP(CO)

sm:13.2.2018

W.P.No.15611 of 2017