

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.21290 & 21291 of 2010
and MP.Nos.1 & 1 of 2010

A.Senthil Maharaj

... Petitioner
in both the petitions

Vs.

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

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

... Respondents
in both the petitions

Petitions 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 03.08.2010 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 (in both the petitions)

For Respondents:Mr.J.Ramesh, AGP (in both the petitions)

COMMON ORDER

The present writ petitions have been filed to quash the orders 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 matters were 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, these writ petitions are allowed by setting aside the orders 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 Petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar

rk

To

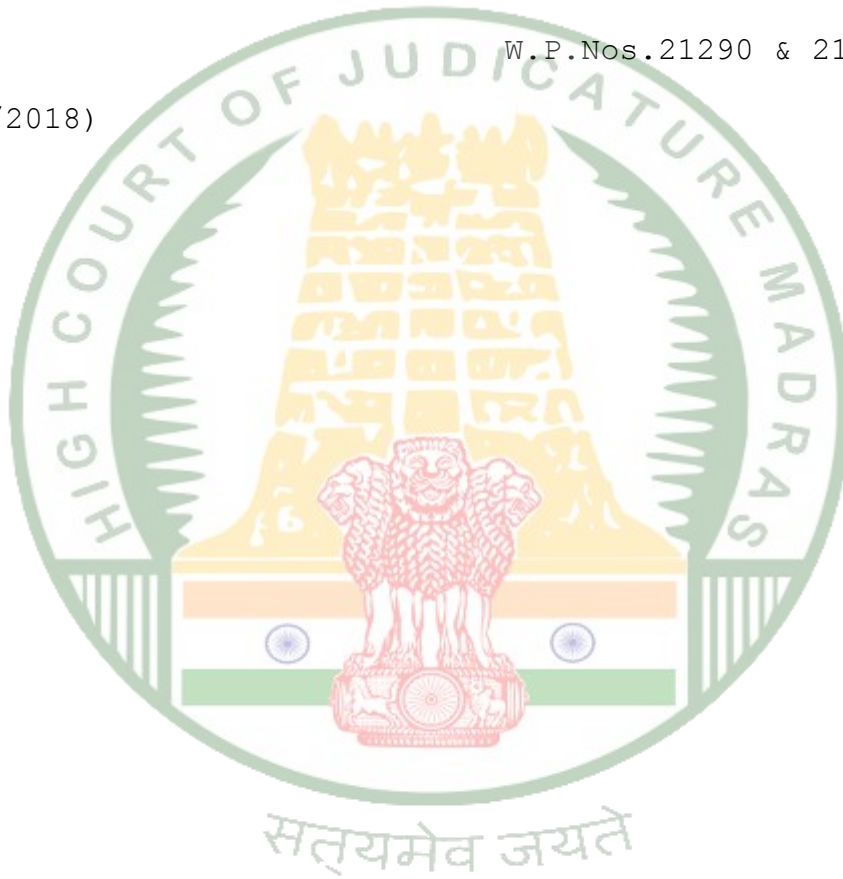
1. Regional Transport Authority/District Collector
Coimbatore District, Coimbatore.
2. The Secretary, Regional Transport Authority,
Balasundaram Road, Coimbatore - 18.

+lcc to Mr.M.Palani, Advocate SR.No.43415

W.P.Nos.21290 & 21291 of 2010

AK(CO)

RMP(24/09/2018)



WEB COPY