

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2018
CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.29776 of 2017

M/s.Sri Thirumagal Service
rep. By its Managing Partner T.R.Mahalingam,
No.2/151, Kottaipalayam Post,
Vaiyampalayam,
Coimbatore -10.

... Petitioner

vs.

1. The Regional Transport Authority-cum-
District Collector,
Coimbatore South.

2. The Regional Transport Officer,
Coimbatore South.

3. M.Dhanamani,
Proprietrix Dhanamani Motor Transport,
No.27, Andal Street, Lakshmipuram,
Peelamedu,
Coimbatore - 4.

... Respondents

PRAYER:

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the 1st respondent herein to take action on to petitions representation dated 7.9.2017 to cancel the 3rd respondent's Town Bus Permit TN 37/CM-1177 plying on the route No.77, Ukkadam to Edayarpalayam for non adherence of schedule of timings forthwith.

For Petitioner : Mr.K.Hariharan

For Respondents : Mr.R.Govindasamy,
Special Government Pleader for R1 & R2
Mrs.R.Swarnalatha for R3.

O R D E R

The petitioner seeks for a mandamus directing the 1st respondent herein to cancel the 3rd respondent's Town Bus Permit TN 37/CM-1177 plying on the route No.77, Ukkadam to Edayarpalayam for non adherence of schedule of timings.

2. The grievance of the petitioner against the 3rd respondent is that she is not adhering to the schedule of timings as per the permit issued to her by the respondents 1 and 2. Ventilating such grievance, the petitioner has made a request before the respondents 1 and 2 on 07.09.2017. It is stated that the said representation is still pending.

3. Learned counsel appearing for the 3rd respondent submitted that she has not violated the terms of the permit and therefore, the grievance of the petitioner is not well founded. However, as it is for the fact finding authority namely, the first respondent to consider the merits of the claim made by the petitioner, this writ petition is disposed of only by directing the first respondent to look into the matter and pass appropriate orders on merits and in accordance with law after giving due opportunity of hearing to the petitioner as well as the 3rd respondent. Such exercise shall be done by the first respondent within a period of eight weeks from the date of receipt of a copy of the order. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Regional Transport Authority-cum-District Collector,
Coimbatore South.

2. The Regional Transport Officer,
Coimbatore South.

+1cc to Mr.R.Swarnalatha, Advocate, S.R.No.6331

+1cc to Mr.K.Hariharan, Advocate, S.R.No.6346

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Kan (CO)

RRK(30/01/2018)