

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2018

C O R A M

THE HON'BLE Mr.JUSTICE P.D.AUDIKESSAVALU

W.P.No.31191 OF 2002

K.S.Palanisamy

...Petitioner

vs

1.The Regional Transport
Authority, Erode, Gobi Region.

2.The State Transport Appellate
Tribunal, Chennai 104.

...Respondents

Prayer:Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorari to call for the records relating to the order of the State Transport Appellate Tribunal, the second respondent herein, dated 20.02.2002 and made in App.No.156 of 2001 confirming the order of the Regional Transport Authority, Erode, Gobi Region, the first respondent herein dated 31.1.2002 and made in R.No.34343/B4/2000, suspending the permit of stage carriage bearing REGISTRATION No.TN36/5855 belonging to the petitioner herein and plying on the route: Erode B.S. To Thalavaipet for 3 days with option to compound the offence by paying a sum of Rs.900/- and to quash the order dated 20.02.2002.

For petitioner : Mr.M.Palani, for
Mr.R.S.Ramanujam

For Respondents : Mr.S.Kamalesh Kannan
Government Advocate

O R D E R

This writ petition has been filed to quash the impugned order dated 20.02.2002 passed by the second respondent made in App.No.156 of 2001 confirming the order of the first respondent dated 31.1.2002 made in R.No.34343/B4/2000, suspending the permit of stage carriage bearing Registration No.TN36/5855 belonging to the petitioner herein plying on the route from Erode Bus stand to Thalavaipet for 3 days with option to compound the offence by paying a sum of Rs.900/-.

2.Heard both sides.

3.In the impugned order, the factual finding has been confirmed by the second respondent that the stage carriage bearing Registration No.TN36/5855 belong to the petitioner on 03.07.2000 had plied from Erode bus stand to Thalavaipet via Nachiappa street instead of plying Erode Bus stand to Thalavaipet (via) Sathy salai, Clock tower, Periyar Mandram and that the Registration Certificate, Insurance Certificate and permit were not produced for verification. The driver and conductor of the vehicle had also signed in the check report confirming the said violation. Learned counsel for the petitioner is not able to show any infirmity on that factual finding. On the question of punishment imposed on the petitioner, the permit had been suspended for three days period with option to compound the offence by paying Rs.900 at the rate of Rs.300 per day on proof of the charges. Hence, the impugned order does not warrant any interference by this Court and the same is confirmed. The writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vri

To

1.The Regional Transport
Authority, Erode, Gobi Region.

2.The Registrar,
State Transport Appellate
Tribunal, Chennai 104.

+lcc to Mr.M.Palani, Advocate sr.no.42612
+lcc to The Government Pleader sr.no.44016

W.P.No.31191 of 2002

nr 24/07/2018