

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 08.10.2018

CORAM
THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN
W.P.No.26149 of 2018

R.Gajalakshmi

... Petitioner

Vs

1.The State Transport Authority
cum Transport Commissioner,
Ezhilagam, Chepauk,
Chennai - 600 005.

2.The Region Transport Officer,
Hosur,Krishnagiri District.

3.The Motor Vehicle Inspector Grade - 1,
Office of the Regional Transport Officer,
Hosur,Krishnagiri District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 2nd and 3rd respondents to release the vehicle forthwith petitioner's Inter-State Stage Carriage Permit vehicle bearing registration No.KA-51-B-7839, which was impounded by the 2nd respondent on 11.07.2018 and kept at the Mattigiri Police Station, Hosur.

For Petitioner : Mr.K.Venkatesan

For Respondents : Mr.A.N.Thambidurai,
Special Government Pleader

O R D E R

The petitioner seeks direction to the 2nd and 3rd respondents to release the petitioner's Inter-State Stage Carriage Permit vehicle bearing registration No.KA-51-B-7839.

2. According to the petitioner, he is the holder of Stage Carriage Permit issued by the Karnataka State Transport Authority, Bangalore for the route from Denkanikote to Bengaluru Kalasipalya Bus Stand and back via Mtttiger, Hosur, Attibele, Chandapura, Hebbagodi, Madiwala, Bengaluru Dairy, Lalbagh Main Gate, Siddaiah Road, Minerva Circle, Basappa Circle.

3. While the vehicle was plying between Hosur and Kelamangalam, it was intercepted by the 3rd respondent on 11.07.2018 and the same has been seized on the ground that it is

not being operated on the route covered by the permit. Right from the seizure of the vehicle, it is with the 2nd respondent and despite several representations, given by the petitioner, the vehicle was not released.

4. Notice was ordered to the respondents. Upon notice, Mr.A.N.Thambidurai, learned counsel appeared on behalf of the respondents and submitted that since there is violation of Inter-State permit granted to the petitioner, the vehicle was seized. Now, the report has been sent to the 1st respondent and the matter is pending with the 1st respondent and the 1st respondent is to pass orders.

5. Considering the fact that the matter is pending with the 1st respondent, the 1st respondent is directed to pass suitable orders on merits after giving an opportunity to the petitioner within a period of one (1) week from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

dsa

To

1.The State Transport Authority
cum Transport Commissioner,
Ezhilagam, Chepauk,
Chennai - 600 005.

2.The Region Transport Officer,
Hosur, Krishnagiri District.

3.The Motor Vehicle Inspector Grade - 1,
Office of the Regional Transport Officer,
Hosur, Krishnagiri District.

+1cc to Mr.K.Venkatesan, Advocate, S.R.No.69305

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NM(CO)

rrs 09/10/2018