

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.10.2018

C O R A M

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

Writ Petition No.26828 of 2018
& WMP.No.31179 of 2018

K.S.Senthilnathan (M/Age-59 years)
S/o.Shanmugasamy Gounder,
B.34, State Bank Nagar,
Poondurai Road, Erode. Petitioner

Vs.

1. The Regional Transport Officer,
Erode East, Erode.
2. The Managing Director,
Tamil Nadu State Transport Corporation,
Erode Division, Erode. Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the 1st respondent herein to consider the petitioner's representation dated 06.09.2018 and take action to curb the illegal operation of the 2nd respondent's buses operating on the petitioner's Town Service Route No.21, "Erode Bus Stand to Velakethi," forthwith.

For Petitioner : Mr.K.Hariharan

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

O R D E R

The Writ Petition has been filed seeking a direction to the 1st respondent to consider the petitioners representation dated 06.09.2018 and to take action to curb the illegal operation of the 2nd respondent's buses operating on the petitioner's Town Service Route No.21, between Erode Bus Stand to Velakethi.

2. The grievance of the petitioner is that, he is holding a stage carriage town bus permit for the Route No.21, between Erode Bus Stand to Velakethi, and he has been operating the bus for the past 24 years. Now the 2nd respondent Corporation having a Town Bus permit for the very same route and the

approved set of timings with sufficient time gap. But the 2nd respondent without stick on to the timing fixed by the 1st respondent, operating three buses in the same route without permit. In such circumstances the petitioner made a representation to the 1st respondent to take action against the 2nd respondent, that representation was not considered. Hence, the present writ petition has been filed.

3. Considering the nature of the order being passed in the writ petition, which is not prejudicial to the 2nd respondent. The notice to the 2nd respondent is dispensed with.

4. Considering the limited prayer made in the writ petition, and without expressing any opinion on merits, the 1st respondent is directed to consider the petitioner's representation dated 06.09.2018, and conduct an enquiry after issuing notice to the petitioner and the 2nd respondent and pass suitable orders on merits and in accordance with law within a period of six weeks from the date of the receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

msvm

To

1. The Regional Transport Officer,
Erode East, Erode.

2. The Managing Director,
Tamil Nadu State Transport Corporation,
Erode Division, Erode.

+1cc to Mr.K.Hariharan, Advocate SR.NO.72300

+1cc to Government Pleader SR.NO.73003

AD(co)

sm:16.11.2018

W.P.No.26828 of 2018