



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 02.02.2018

CORAM:
THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P (MD) No.2222 of 2018

P.Manimozhi

... Petitioner

Vs.

1.The District Collector

Theni,
Theni district.

2.The Regional Transport Officer, (RTO)

Theni,
Theni district.

3.The Superintendent of Police

Theni,
Theni district.

4.The Executive Officer

Palanichettypatti Town Panchayat,
Theni district.

5.P.Mariam Bibi

6.A.Thanusa Begam

7.N.Senthilkumar

8.M.Thennarasu

9.K.Pounthai

10.P.Karthikeyan

11.P.Musifar

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents 1 to 4 herein to take necessary action on the mini bus operators who were respondents 5 to 11 herein, for plying of mini buses through T.B.N.Road, Palanichettypatti Town Panchayat which is not permitted on their granted route permit by authorities and using of Noisy horns, rash driving by using incompetent drivers causing accidents thus creating fear and menace among the public by considering the petitioner's representation dated 22.01.2018 to the respondents 1 to 4 herein.

For Petitioner

:Mr.A.Mithunchakravarthi

For R-1 to R-3

:Mr.M.Murugan,
Government Advocate

For R-4

:Mr.V.R.Shanmuganathan,



ORDER

(Order of the Court was made by M.SATHYANARAYANAN, J.)

The petitioner came forward to file this writ petition styled as a 'Public Interest Litigation'.

2. The petitioner alleges that the private respondents, who are mini bus operators, are operating their buses through Palanichettypatti Town Panchayat, which is in deviation of the sanctioned route and that apart, the buses are driven in a rash and negligent manner, causing danger and nuisance to the local residents and public. The petitioner in this regard, has submitted a representation dated 22.01.2018 to the respondents 1 to 4 and in spite of receipt of the same, no action has been taken to avoid the said nuisance and illegality and hence, the petitioner came forward to file this writ petition.

3. The learned Counsel for the petitioner would submit that the petitioner is a cable TV employee and he is not espousing the cause of other bus operators and the present writ petition is filed purely in public interest.

4. This Court heard the submissions of Mr.M.Murugan, learned Government Advocate appearing for the respondents 1 to 3 and Mr.V.R.Shanmuganathan, learned Counsel appearing for the fourth respondent also, who would submit that the representation submitted by the petitioner will be considered in accordance with law.

5. Though the petitioner prays for a larger relief, this Court, in the light of the aforesaid facts and circumstances of the case and without going into the merits of the claim projected by the petitioner either in this Writ Petition or in his representation dated 22.01.2018, directs the second respondent, to take into consideration the said representation and after putting the respondents 5 to 11 on notice, shall consider and dispose of the representation, in accordance with law, within a period of three months from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as the private respondents 5 to 11.

6. The Writ Petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

To

1. The District Collector

<https://hcservices.ecourts.gov.in/hcservices/>

Theni district.



2.The Regional Transport Officer, (RTO)
Theni,
Theni district.

3.The Superintendent of Police
Theni,
Theni district.

4.The Executive Officer
Palanichettypatti Town Panchayat,
Theni district.

+1cc to M/S.Special Government Pleader,SR. 46592

+1cc to Mr.A.MITHUN CHAKRAVARTHI,Advocate,SR. 46489

W.P (MD) No.2222 of 2018
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PM/RM
KK/JC/SAR 4/15.02.2018/ 3P- 7C/