



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.3644 of 2018

and

W.M.P. (MD) No.5407 and 3765 of 2018

S.Kamalanathan

... Petitioner

Vs.

1.The Regional Transport Authority,
Sivagangai.

2.The Secretary,
Regional Transport Authority cum
The Regional Transport Officer,
Sivagangai.

... Respondents

PRAYER : This Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to issue the mini bus permit to the petitioner vehicle bearing Registration No.TN 67 Z 9399 on the route from Sivagangai Bus stand to Marudhupandiar Nagar.

For petitioner : Mr.S.Govindraman

For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

ORDER

The petitioner was granted a mini bus permit on the route Sivagangai Bus stand to Marudhupandiar Nagar, by the first respondent herein. The grant of such permit was questioned by the TNSTC-Kumbakonam limited, before the State Transport Appellate Tribunal, by order dated 15.04.2015. The revision petition filed by the TNSTC-Kumbakonam limited was dismissed. Therefore the petitioner should have been issued with a permit after conducting a Timing Conference.

2. In fact, the writ petitioner herein had earlier filed W.P. (MD) No.9613 of 2015 and the authorities were directed to convene Timing Conference within a period of three months. Eventhough, a Timing Conference notice was issued as early as on 14.08.2015 by the second respondent and again by another notice dated 09.02.2016, it was actually not convened. It was because some individual operators



sought deferment of the said conference on the ground that they have filed Writ petition in this regard. In fact, the second respondent herein had informed the petitioner herein, about the representation submitted by such rival operators.

3. Today, when the matter is taken up for disposal, a specific query was posed to the learned Additional Government pleader appearing for the respondents as to whether any restraint order has been passed by this Court, with regard to convening the Timing Conference for the writ petitioner.

4. The learned Additional Government Pleader appearing for the respondents submitted that the writ petitions have been filed and no interim order is granted therein.

5. When no interim order was granted by this Court, the second respondent ought not to have adjourned the convening of Timing Conference by citing mere pendency of the writ petitions. The second respondent is strictly directed to finalise the timings for the writ petitioner and issue mini bus permit to him within a period of six weeks from the date of receipt of a copy of this order.

6. Accordingly, this writ petition stands allowed. In view of the order passed, the miscellaneous petitions are dismissed as unnecessary. No costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The Regional Transport Authority,
Sivagangai.

2.The Secretary,
Regional Transport Authority cum
The Regional Transport Officer,
Sivagangai.

+1CC to Mr.S.Govindraman, Advocate, SR.No. 57038

+1CC to the Special Government Pleader SR.No.57327

ORDER MADE IN
W.P. (MD) No.3644 of 2018
21.03.2018

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