



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. (MD) No. 5633 of 2018

and Contempt Petition (MD) Nos.347 and 348 of 2018

S.Syed Abdul Khader ... Petitioner in writ petition
and contempt petitions

-vs-

1.The Regional Transport Authority,
Virudhunagar,
Virudhunagar District.
2.The Regional Transport Officer,
Office of the Regional Transport Officer,
Virudhunagar,
Virudhunagar District. ... Respondents in writ petition

Mr.A.Sivagnanam,
The Regional Transport Authority,
Virudhunagar District,
Virudhunagar. ... Respondent in Cont.P.(MD)
No.347 of 2018

1.Mr.A.Sivagnanam,
The Regional Transport Authority,
Virudhunagar District,
Virudhunagar.
2.Mr.C.Chandrasekar,
Regional Transport Officer,
Virudhunagar District,
Virudhunagar. ... Respondents in Cont.P.(MD)
No.348 of 2018

PRAYER in W.P.(MD) No.5633 of 2018 : Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, calling for the records pertaining to the Impugned Order passed by the 1st Respondent made in R.NO.11892/AS/2017, dated 22.09.2017 and quash the same as illegal and consequently direct the Respondents to follow the principle laid



down in the Common Judgment in W.A.(MD) Nos.203 and 204 of 2015, dated 27.06.2017.

COMMON PRAYER in Cont.P.(MD) Nos.347 and 348 of 2018 : Petitions filed under Section 11 of the Contempt of Court Act, 1971, praying to initiate contempt proceedings against the Contemnors/Respondents and punish them for the willful disobedience and reinterpreted the common order of the Hon'ble High Court in W.A.(MD) Nos.203 and 204 of 2015 dated 27.06.2017.

Prayer in WA(MD). 203/ 2015 :

Writ Appeal filed under Clause 15 of Letters of Patent to set aside the order passed in WP(MD) NO. 19749 of 2014 dated 05/12/2014 on the file of this Hon'ble Court.

Prayer in WP(MD). 19749/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the records of the 2nd respondent made in Appeal No.221/2004 dated 04.02.2009 confirming the order of the 1st respondent made in Endt. No.37442/A5/2003 dated 03.03.2004 and to quash the same and consequently direct the 1st respondent to consider and pass orders on the applications for renewal pending before it in respect of vehicle No.TDA 9501 for the route Madurai to Abiramam in accordance with law and pass such further or other orders.

Prayer in WA(MD). 204/ 2015 :

Writ Appeal filed under Clause 15 of Letters of Patent to set aside the order passed in WP(MD) NO. 19750 of 2014 dated 05/12/2014 on the file of this Hon'ble Court.

Prayer in WP(MD). 19750/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus, calling for the records of proceedings of the second respondent made in R.No. 17091/B3/98 dated 09.11.1998 and to quash the same as illegal, consequently direct the first respondent to consider the petitioner's surrender application dated 30.10.1998 as well as the petitioner's cancellation of surrender application dated 03.11.1998 and pass such further or other orders.

For Petitioner in writ : Mr.A.C.Asaitambi
petition and contempt
petitions

For Respondents in writ : Mr.N.Shanmugaselvam
petition and contempt : Additional Government Pleader

**ORDER**

(Order of the Court was made by K.K.SASIDHARAN, J.)

The respondents are present in Court today. The first respondent made an endorsement indicating that he is withdrawing the order dated 22.09.2017, which is impugned in W.P.(MD) No.5633 of 2018.

2.In view of the act of recalling by the first respondent, the writ petition is dismissed as infructuous. We are also closing the contempt petitions in view of the facts indicated above. No costs. Let the first respondent pass a fresh order taking into account the spirit of the judgment in W.A.(MD) Nos.203 and 204 of 2015 dated 27.06.2017.

Sd/

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1.The Regional Transport Authority,
Virudhunagar,
Virudhunagar District.

2.The Regional Transport Officer,
Office of the Regional Transport Officer,
Virudhunagar,
Virudhunagar District.

+1 CC to M/s.A.C.Asaithambi, Advocate, SR.No.95669

sj

SS/PM/SAR 3/13.12.2018/3P/4C

W.P. (MD) No. 5633 of 2018
and
Contempt Petition (MD) Nos.347 and 348 of 2018
15.11.2018