



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.07.2018

CORAM:
THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P (MD) No.11669 of 2018
and
W.M.P (MD) No.10623 of 2018

R.G.Dawnsur Chemi

... Petitioner

Vs.

1. The Regional Transport Officer,
Kozhiporvilai, Marthandam,
Kanyakumari District.

2. The District Collector-cum-
The Regional Transport Authority,
Kanyakumari District, at Nagercoil.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus to direct the respondents to permit to ply the petitioner's mini bus bearing Registration No.TN-49-V-0855 from Siluvaipuram to Kannahimukku via Police Station Road until the reparation of Siluvaipuram to Mudippurai Road is done, by considering the representation of the petitioner dated 17.05.2018.

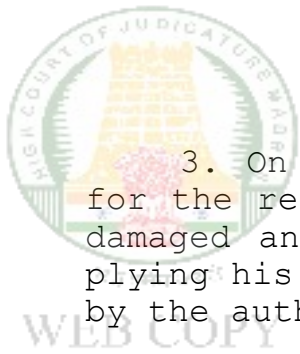
For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.J.Padmavathi Devi
Special Government Pleader

ORDER

The petitioner is a mini bus operator. He was granted permit to ply his mini bus bearing Registration No.TN-49-V-0855 from Oorambu to Vallavilai Post Office Junction, via Kacherynada, Siluvaipuram, Mudipurai Vilakku, Kannahimukku, Soosaipuram Colony, Kollencode, Marthandamthurai and Church. In the route permitted between Siluvaipuram and Mudippurai Road, the road has become damaged and the buses cannot be plied into the said route and there are encroachments also and hence, he sought for permission to ply his mini bus in the alternative route.

2. The learned Counsel for the petitioner, in support of his contentions, produced a copy of the report sent by the Motor Vehicle Inspector - Grade I, dated 23.06.2018, wherein it is stated that in the road between Nithiravilai and Kollencode, a stretch of road from Kollencode to Naiyar Left Corner Bridge measuring to an extent of 1 Km., is in dilapidated condition and the vehicles can be operated only after relaying of the said road.



3. On notice, the learned Special Government Pleader appearing for the respondents, on instructions, submits that the said road is damaged and in the event of the petitioner seeking permission for plying his minibus in the alternative route, that will be considered by the authorities concerned.

4. I have considered the rival contentions.

5. Considering the submissions made on both sides, a direction is issued to the petitioner to submit an alternative route along with a copy of his representation dated 17.05.2018 to the first respondent within a period of one week from the date of receipt of a copy of this order. On receipt of such representation from the petitioner, the first respondent shall pass orders on merits and in accordance with law within a period of two weeks thereafter.

6. With the above directions, this writ petition is disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Regional Transport Officer,
Kozhiporvilai,
Marthandam, Kanyakumari District.
2. The District Collector-cum-
The Regional Transport Authority,
Kanyakumari District, at Nagercoil.

+1CC to Mr.S.C.Herold Singh, Advocate, SR.No.71047
+1CC to the Special Government Pleader SR.No. 70995

W.P(MD)No.11669 of 2018

and

W.M.P(MD)No.10623 of 2018

03.07.2018

RSB

ES/RP/SAR 1/18.07.2018/2P/5C