



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

WEB COPY

W.P. (MD) No.12610 of 2018

M.Jeyaraj

... Petitioner

vs.

The Regional Transport Authority,
Thoothukudi,
Thoothukudi District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent herein to consider the petitioner's representation dated 27.04.2018 and give an opportunity of hearing before issue of any share auto permits in Thoothukudi District.

For Petitioner : Mr.S.Suriyanarayanan
For Respondent : Mr.A.Muthukaruppan
Additional Government Pleader

O R D E R

Mr.A.Muthukaruppan, learned Additonal Government Pleader, takes notice on behalf of the respondent.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that he is an existing share auto operator. Now, the respondent is receiving applications for issuing fresh permits to the other share auto operators. Since the new permits are issued without considering the economy, road worthiness and pollution, similarly placed persons like the petitioner are affected. Therefore, he seeks disposal of the representation made by him on 27.04.2018.

4. It is needless to point out that issuance of permit and taking a decision as to the number of autos to be plied are within the exclusive domain of the Transport Authority. They shall take a decision, considering the aspects pertaining to air pollution, density of population and requirement of giving permits. Till taking such a decision, there cannot be any interference by the vested interests. Therefore, decision will be taken by the authorities independently, by considering all the parameters required for granting permit. Hence, an opportunity of personal hearing cannot be afforded to the petitioner. However, the



respondent is directed to dispose of the petitioner's representation dated 27.04.2018 and pass orders in accordance with law. This order will not in any way affect or influence the authorities, while granting fresh share auto permits.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Cr1. Side)

/True Copy/

Sub Assistant Registrar

To:

The Regional Transport Authority,
Thoothukudi,
Thoothukudi District.

+1CC to Mr.M.Beema Rao, Advocate in SR.No.68069,

+1CC to the Special Government Pleader in SR.No.68237.

VS

DS/SV-MMS/SAR- 1:25.06.2018: 2P/4C

W.P.(MD) No.12610 of 2018
13.06.2018