



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P(MD)No.13453 of 2018

and

W.M.P(MD)No.12267 of 2018

T.Jayaraj

... Petitioner

Vs.

The Regional Transport Authority,
Pudukkottai District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus to direct the respondents herein to permit the petitioner's Mini Bus bearing Registration No.TN-55-E-2622 to go inside Pudukkottai Bus Stand as per the Transport Commissioner's Circular Letter in R.No.90919/E2/2000, dated 29.11.2000 while plying on the route, viz., Pudukkottai Thilagar Thidal to Cauvery Nagar, forthwith.

For Petitioner

: Mr.G.Sankaran

For Respondent

: Mrs.J.Padmavathi Devi
Special Government Pleader

ORDER

Mrs.J.Padmavathi Devi, learned Special Government Pleader takes notice for the respondent.

2. By consent, the writ petition is taken up for final disposal.

3. The petitioner is a mini bus operator. He is plying his mini bus bearing Registration No.TN-55-E-2622 between Cauvery Nagar and Pudukkottai Thilagar Thidal. According to the petitioner, the served sector of the mini bus is only 2.9 Kms., and since he is entitled to ply upto 4 Kms., he requested the respondent authority to permit him to go into Pudukkottai Bus Stand.

4. Whereas the learned Special Government Pleader appearing for the respondent, on instructions, would submit that if the petitioner is permitted to ply upto the bus stand, it will go beyond the served sector and therefore, it cannot be entertained.



5. I have considered the rival contentions.

6. Since this matter involves factual disputes, without going into the merits of the petitioner's claim, I direct the respondent to consider the representation of the petitioner dated 25.07.2017 and survey the distance in the presence of the petitioner and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition is disposed of as above. No costs. Consequently, the connected writ miscellaneous petition is closed.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

The Regional Transport Authority,
Pudukkottai District.

+1cc to Mr.F.Deepak, Advocate Sr.No.70901
+1cc to Spl.Government Pleader Sr.No.70830

RSB

VB/RSK/SAR4/13.07.2018/2P/4C

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