



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2018

CORAM:

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

W.P.(MD)No.22020 of 2018

S.Subathra Chandra

.. Petitioner

Vs.

1.The District Collector cum
Regional Transport Authority,
Kanyakumari District,
Kanyakumari.

2.The Regional Transport Officer,
Marthandam,
Kanyakumari District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of MANDAMUS, directing the first respondent to consider and pass orders on the petitioner's joint application dated 12.09.2017 to transfer the Mini Bus bearing Registration No.TN-74-Y-2400 to the third party.

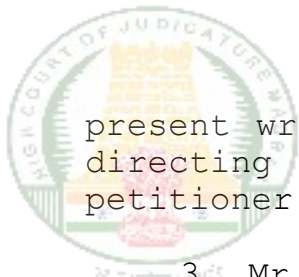
For Petitioner : Mr.A.C.Asaithambi

For Respondents : Mr.A.Thiyagarajan,
Government Advocate

ORDER

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

2. The petitioner before this Court is a holder of Mini Stage permit, valid upto 17.09.2010, on the route Thikkanamcode to Monday Market, Kanyakumari District, covered by her vehicle bearing Registration No.TN-74-Y-2400. According to the petitioner, after the demise of her husband, she was not in a position to maintain the services of the bus and therefore, she intended to transfer the permit to a third party, which is permitted as per the Act. Accordingly, one Nithin, a third party, who is also having experience in this field, approached the petitioner and thereafter, both the petitioner as well as the said Nithin had filed a joint application dated 12.09.2017, before the first respondent, by enclosing all the relevant documents. The said application was kept pending, without any action and therefore, the petitioner has made a representation dated 27.09.2018. As no response is forthcoming, the



present writ petition came to be filed seeking a Writ of Mandamus, directing the first respondent to consider and pass orders on the petitioner's joint application dated 12.09.2017.

3. Mr.A.Thiyagarajan, learned Government Advocate takes notice on behalf of the respondent and submitted that the first respondent would dispose of the said application of the petitioner dated 12.09.2017 within a stipulated time frame.

4. Considering the facts and circumstances of the case and also the limited scope of relief sought for, this Court, without adverting into the merits of the matter, directs the first respondent to consider the joint application of the petitioner dated 12.09.2017 and pass appropriate orders, in accordance with law and after affording due opportunity of personal hearing to the parties concerned, within a period of four weeks from the date of receipt of a copy of this order.

5. This writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(WRITS)

/True Copy/

Sub Assistant Registrar(CS-IV)

gk

To

1.The District Collector cum
Regional Transport Authority,
Kanyakumari District,
Kanyakumari.

2.The Regional Transport Officer,
Marthandam,
Kanyakumari District.

+1cc to A.C.Asaitambi, Advocate in SR No.92871

+1cc to Spl Government Pleader, SR No.93638

W.P. (MD) No.22020 of 2018

NM/SV/SAR IV/14.11.18/2P/5C.