

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 23.08.2018

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WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU**W.P(MD).No.15576 of 2018****and****W.M.P(MD) No.13991 of 2018**

T.Jayaraj

... Petitioner

Vs.

The Regional Transport Authority,
Pudukottai District.

... Respondent

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent herein to permit the petitioner's mini buses TN-55/J-2514 & TN-55/T-5355 to go inside the Pudukkottai Bus stand as per Section 72(2) (xxii) of Motor Vehicles Act 1988 r/w Rule 245 (i) of Tamil Nadu Motor Vehicles Rules 1989, while plying on the route Pudukkottai Thilagar Thidal to Meivazhisalai, forthwith.

For Petitioner : Mr.G.Sankaran

For Respondent : Mr.D.Muruganandham,
Addl., Government Pleader.**O R D E R**

This writ petition has been filed by the petitioner for a writ of Mandamus, directing the respondent herein, to permit the petitioner's mini buses to go inside the Pudukkottai Bus stand, while plying on the route from Pudukkottai Thilagar Thidal to Meivazhisalai, forthwith.

2. The learned counsel appearing for the petitioner would submit that the petitioner is holding two mini bus permits issued by the respondent for the route from Pudukkottai Thilagar Thidal to Meivazhisalai in respect of vehicle number TN-55-J-2514 & TN-55-T-5355 and the permits are valid upto the year 2021.

3. The case of the petitioner is that, the petitioner has given a representation to the respondent herein, seeking for permission to operate his mini bus vehicles bearing Reg.Nos.TN-55-J-2514 & TN-55-T-5355 to touch the bus stand as per the request made by the traveling public. According to the petitioner, the



Government of Tamil Nadu has also taken a policy decision to permit the mini buses to go inside the bus stand, so that the traveling public will have the full benefit of the Mini Bus scheme. Based on the Government decision, the Transport Commissioner, Chennai issued a circular letter in R.No.90919/E2/2000 dated 29.11.2000 to all the Regional Transport Authorities to implement the Government's policy decision. The circular of the Transport Commissioner has been upheld by this Court in W.P.No.1854 of 2001 dated 11.02.2002.

4. According to the petitioner, though he has submitted his representation dated 27.09.2016 to the respondent, no action has been taken on the side of the respondent and therefore, aggrieved over the same, the petitioner is before this Court with the present writ petition.

5. Mr.D.Muruganandham, learned Additional Government Pleader appearing for the respondent would submit that, there is no such application filed by the petitioner, which is pending before the respondent.

6. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent and perused the materials placed before this Court.

7. Considering the facts and circumstances of the case, without advertng into the merits of this case, the petitioner is directed to give a fresh application within a week from the date of receipt of a copy of this order and the respondent shall consider the same and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

8. With this direction, this Writ Petition stands disposed of accordingly. However, there shall be no order as to costs. Consequently, connected W.M.P.(MD) No.13991 of 2018 is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS-ii)



The Regional Transport Authority,
Pudukottai District.

+1 CC To MR.F.DEEPAK, Advocate SR. NO.79709
+1 CC TO The Special Government Pleader SR.NO.79830

Order made in
W.P(MD) .No.15576 of 2018

STS
TR/RP/SAR-II(19.09.2018) 3P 4C