



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.11.2018

CORAM:
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

W.P.(MD)No.20003 of 2018
and
W.M.P.(MD)No.17782 of 2018

S.Kaja Najumudeen

... Petitioner

Vs.

1. The Regional Transport Authority,
Madurai.
2. The Regional Transport Officer,
Madurai (South),
Madurai.
3. The Branch Manager,
Tamilnadu State Transport Corporation,
(Kumbakonam) Limited.,
Karaikudi Region,
Ramanathapuram Branch,
Ramanathapuram.

... Respondents

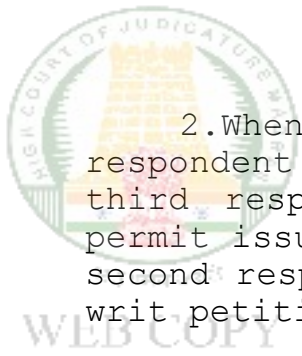
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the second respondent allowing the third respondent to depart at 7.35 p.m., from Madurai in respect of their service on the route " Yervadi to Kumuli", in respect of the third respondent bus bearing Registration No.TN63 N 1757 or any other bus to be replaced in that place with reference to the representation of the petitioner dtd 12.07.2018.

For Petitioner : Mr.S.Govindraman

For Respondents : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

The petitioner is an existing stage carriage operator. He has been plying from Madurai to M.Kallupatti. The petitioner's bus leaves Madurai at 7.35 pm., and reaches Usilampatti at 8.45 pm. His grievance is that the third respondent who is a State Government undertaking is also unauthorisely operating during the very same time and the respective sectors overlap. He therefore, has filed the Writ of Mandamus for forbearing the second respondent from permitting the third respondent to depart at 7.45 pm., from Madurai, in respect of the route Yervadi to Kumuli.



2. When the matter was taken up for hearing, the second respondent appeared in person before this Court and stated that the third respondent is operating on the strength of the temporary permit issued by the State Transport Authority, Chennai. Since, the second respondent State Transport Authority is not a party in this writ petition, no relief can be granted in this proceedings.

3. Therefore, this writ petition is closed. The second respondent is directed to make available a photocopy of the subsisting temporary permit issued in favour of the third respondent by the State Transport Authority, Chennai-5, so that the petitioner can file an appropriate writ petition on the same cause of action before this Court.

4. With this liberty to the petitioner and the direction to the second respondent, this writ petition is closed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The Regional Transport Authority,
Madurai.
2. The Regional Transport Officer,
Madurai (South),
Madurai.
3. The Branch Manager,
Tamilnadu State Transport Corporation,
(Kumbakonam) Limited.,
Karaikudi Region,
Ramanathapuram Branch,
Ramanathapuram.

+1 cc to Mr. S. Govindraman, Advocate, SR.NO.95980

+1 cc to Spl. Government Pleader, SR.No.96023

pnn

SS/RSK/SAR 2/19.12.2018/2P/6C

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and

W.M.P. (MD) No.17782 of 2018
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