



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2018

CORAM:

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

W.P.(MD)No.19921 of 2018

G.Ananth

.. Petitioner

Vs.

The District Collector cum
Regional Transport Authority,
Tirunelveli.

.. Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of MANDAMUS, directing the respondent to consider and pass orders forthwith on the petitioner's representation dated 27.08.2018, so as to enable the petitioner to ply his Mini Stage Carriage covered by the Vehicle TN-72-BC-6282 from Tirunelveli Town instead of Pettai Police Station.

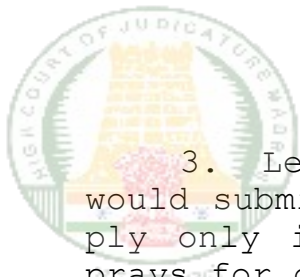
For Petitioner : Mr.T.Padmanabhan

For Respondent : Mr.R.Murugan,
Additional Government Pleader

ORDER

Heard the learned Counsel appearing on either side and perused the materials placed on record.

2. The petitioner before this Court is a holder of Mini Stage permit on the route Pettai Police Station to Gomathi Nagar West, covered by his vehicle bearing Registration No.TN-72-BC-6282. As per the permit, Pettai Police Station is the terminus as well as starting point. Due to narrow road and increase in two wheeler movement in front of Pettai Police Station, according to the petitioner, the police authorities are restricting the petitioner to pick up and set down passengers in that station. Moreover, taking reversal of the bus is too difficult, because of the traffic congestion. Therefore, the petitioner, citing his grievances, has made a detailed representation to the respondent on 27.08.2018, requesting to halt and take reversal from Tirunelveli Town, instead of Pettai Police Station. However, no reply is forthcoming and hence, the petitioner is before this Court seeking a Writ of Mandamus, directing the respondent to consider and pass orders on his representation dated 27.08.2018.



3. Learned Additional Government Pleader, on instructions, would submit that insofar as mini buses are concerned, they have to ply only in the permitted route and not otherwise. Therefore, he prays for dismissal of the present writ petition.

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4. At this juncture, learned Counsel for the petitioner submitted that Pettai Police Station is a congested area, which is not in dispute. No prejudice would be caused by allowing the petitioner to halt and take reversal at Tirunelveli Town, since the served sector will not exceed the 4 kms. Therefore, he prays for directing the respondent to consider his representation, on merits and in accordance with law.

5. Considering the facts and circumstances of the case and also the limited scope of relief sought for, this Court, without advertent into the merits of the matter, directs the respondent to consider the representation of the petitioner dated 27.08.2018 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of personal hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar(CS-II)

gk

To

The District Collector cum
Regional Transport Authority,
Tirunelveli.

+1cc to Mr.T.Padmanabhan, Advocate in SR No.89214

+1cc to The Spl Government Pleader, SR No.89420

W.P. (MD) No.19921 of 2018

NM/SV/SAR II/15.11.18/2P/4C.