



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2018

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.20930 of 2018

and

W.M.P. (MD) .No.18706 of 2018

Vibin Suresh

.. Petitioner

Vs.

1.The District Collector,
Nagercoil,
Kanyakumari District.

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

.. Respondents

(R2 is impleaded as per the order of this Court, dated 12.10.2018, made in W.M.P.(MD).No.19168 of 2018)

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to forbear the respondent and his subordinate in any way interfering or creating any trouble or problem to the petitioner to ply his mini bus bearing Registration No.TN-74-Y.2568 2018 and to consider his request to extend the route upto Amsi Village which falls within the distance of 1.5 kms of his unserved sector and to consider his representation dated 18.09.2018.

For petitioner : Mr.S.Micheal Heldon Kumar

For respondents : Mr.D.Muruganandham,
Additional Government Pleader

ORDER

This writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, to direct the second respondent and his subordinate in any way interfering or creating any trouble or problem to the petitioner to ply his mini bus bearing Registration No.TN-74-Y-2568 and to extend the route upto Amsi Village which falls within the distance of 1.5 kms of his unserved sector, by considering his representation dated 18.09.2018.

2. The petitioner is a Minibus operator. He has been operating the Mini bus from Karungal to Kalladi. The residents of Amsi Village, which falls within the distance of 1.5 kms from Kalladi, has sent a representation, dated 02.09.2018 to the first



respondent to extend the mini bus service till their village. The petitioner has also sent a representation, dated 18.09.2018, to the first respondent seeking permission to ply his bus till Amsi Village, which falls within the distance of 1.5 kms from Kalladi. As there was no response to the same, the petitioner has come up with this writ petition. It is seen that the petitioner has sent a representation, in this regard, to the second respondent also on 05.10.2018.

3. Heard the learned counsel appearing for both sides.

4. The learned Additional Government Pleader appearing for the respondents, on instruction, would submit that the representation of the petitioner will be considered by the second respondent forthwith.

5. In view of the above and also considering the limited relief sought for by the petitioner, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioner, dated 05.10.2018 and pass appropriate order on the same on merits and in accordance with law, within a period of one week from the date of receipt of a copy of this order. The petitioner is directed to immediately send a copy of the representation dated 05.10.2018 along with a copy of this order to the second respondent for the earliest compliance of the order of this Court.

6. This Writ Petition stands disposed of accordingly. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS IV)

gcg

To

1.The District Collector,
Nagercoil,
Kanyakumari District.

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

1CC TO MR. S. MICHEAL, ADVOCATE SR 90427

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