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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED :16.07.2018

CORAM:  
THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P (MD) No.4784 of 2016  
and  
W.M.P. (MD) .No.4298 of 2016

S.Rajendra Prasad : Petitioner

Vs.

1. The Regional Transport Authority,  
Nagercoil, Kanyakumari District.
2. The Regional Transport Officer,  
Nagercoil, Kanyakumari District.
3. The Management,  
through the General Manager,  
Tamil Nadu State Transport Corporation,  
Tirunelveli Limited,  
Nagercoil Region, Ranithottam,  
Kanyakumari District. : Respondents

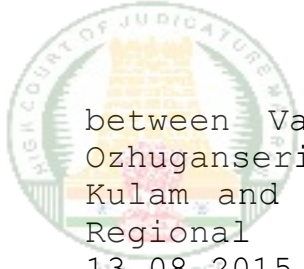
(R-3 is impleaded vide court order dated 19.04.2017  
in W.M.P. (MD) .No.6137/16)

**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari to call for the records pertaining to the 1<sup>st</sup> respondent in Na.Ka.No.6208/A2/2015 dated 13.08.2015 and quash the same.

|                 |                             |
|-----------------|-----------------------------|
| For Petitioner  | : Mr.H.Velavadhas           |
| For Respondents | : Mr.K.Chellapandian        |
|                 | Additional Advocate General |
|                 | assisted by                 |
|                 | Mrs.J.Padmavathi Devi       |
|                 | Special Government Pleader  |
|                 | for RR-1                    |
|                 | Mr.K.Sathiya Singh for R-3  |

### ORDER

The writ petitioner is a mini bus operator with the route permit between Vadaseri Bus Stand to Thallakudi. He made a request to the Regional Transport Authority, Nagercoil, Kanyakumari District to permit him to operate his mini buses bearing Regn. Nos.TN-27N0073 and TN 28 A 5666 upto Anna Bus stand. The route permit



between Vadaseri Bus Stand to Thallakudi via Ottupurai Street, Ozhuganaseri Bust Stand, Thirupathisaram, Permanagari, Thalakudi Kulam and Arasamoodu was granted. His request was rejected by the Regional Transport Authority in Na.Ka.No.6208/A2/2015, dated 13.08.2015. Aggrieved over the same, the petitioner is before this Court.

2. According to the petitioner, the object of Mini Bus Scheme is only to help poor commuters and therefore, his request is justified. Originally, he is operating only upto the distance of 4 kilometres and if it is extended upto Anna Bus Stand, no one will be affected, since he is operating in the unserved sector only upto 3.3 kilometres.

3. The contention of the petitioner is that there is 250 kilometers one way between Ozhuganaseri Bus Stop to Ozhuganaseri Bridge.

4. Controverting the case projected by the petitioner, the learned Additional Advocate General, appearing for the first respondent would contend that the petitioner's bus is plying 4 kms in the served sector and 3.3 kms in the unserved sector. He would vehemently contend that if at all there is a one way, this will not entitle the petitioner to go in a different route to enter into Anna Bus Stand. As per the route permit, he has to operate only in the route specified by the Regional Transport Officer. For that, he can seek a direction from the Regional Transport Officer for an alternative route or he can use the same route to return back to Ozhuganaseri Bridge via Ottupurai and Vadaseri Bus Stand in the return direction also.

5. Heard the contentions made on either side.

6. Admittedly, route permit is granted between Vadaseri Bus Stand to Thallukudi, which covers the distance of 8.3 kilometres and there is no intervening one way in the route. As submitted by the learned Additional Advocate General, if there is an intervening one way route between Ozhuganaseri Bus Stop to Ozhuganaseri Bridge, the petitioner can use the same route to return back to Ozhuganaseri Bridge via Ottupurai and Vadaseri Bus Stand in the return direction also.

7. Considering the same, the Regional Transport Authority has rightly rejected the request for extension of permit. Hence, I do not find any infirmity in the order.

8. Moreover, a Division Bench of this Court in W.A.No.582 of 2008, dated 14.07.2008, in the case of Regional Transport Authority, Dharmapuri and another Vs. Banumathy Vijayan, held that so far, no law has been laid down to grant extension of transport permit beyond the permitted distance.



9.I am in agreement with the findings of the Honourable Division Bench of this Court. Accordingly, the writ petition is dismissed as it merits no consideration. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-  
Assistant Registrar(W)

Sub Assistant Registrar(CS-III)

To

1. The Regional Transport Authority,  
Nagercoil,  
Kanyakumari District.
2. The Regional Transport Officer,  
Nagercoil, Kanyakumari District.
3. The General Manager,  
Tamil Nadu State Transport Corporation,  
Tirunelveli Limited,  
Nagercoil Region, Ranithottam,  
Kanyakumari District.

+1CC to Mr.K.Sathiya Singh , Advocate, SR.No.73323

W.P(MD)No.4784 of 2016  
16.07.2018

VS

ES/KK/SKN/RSK/SAR 3/21.08.2018/3P/5C