



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.04.2018

CORAM :

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P(MD)No.2467 of 2013

1.K.Vairava Sundaram (Deceased)

2.V.Gowri

... Petitioner

(2nd petitioner is substituted as legal heir of the deceased petitioner as per order dated 27.06.2014 made in M.P(MD)No.1 of 2014 in W.P (MD)No.2467 of 2013.)

Vs.

1.The Regional Transport Authority,
Pudukottai.

2.The Secretary,
Regional Transport Authority,
Pudukottai.

... Respondents

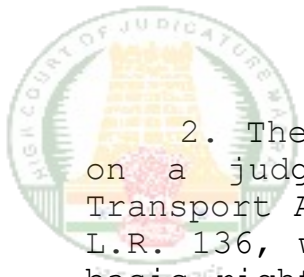
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus to direct the respondents herein to convene the Timing Conference in accordance with Rule 248 of Tamil Nadu Motor Vehicle Rules with respect to the petitioner's mini bus bearing Registration No.TN-55-3395 on the route Nagudi to Ettiahali (Via) Vettivayal, Thittakudi etc.

For Petitioner : Mr.T.Padmanabhan

For Respondents : Mrs.J.Padmavathi Devi
Special Government Pleader

ORDER

The writ petitioner is granted Mini bus permit by the first respondent authority on 13.10.2005. He has produced the vehicle with Registration Certificate, Fitness Certificate, etc., as per the Motor Vehicle Act and the Tamil Nadu Motor Vehicle Rules on 09.01.2006. He sought for the Timing Conference and it was scheduled on 20.06.2006 and the petitioner was present and thereafter, it was adjourned to 22.05.2008, 27.08.2008, 18.09.2008, 04.11.2008 and 04.12.2008. Thereafter, no meetings for Timing Conference were conducted. Aggrieved over the inaction of the respondents, the petitioner made a representation dated 26.12.2012 requesting for a meeting to fix the Timing Conference. But, till date, no meeting was conducted and therefore the present writ petition.



2. The learned Counsel appearing for the petitioner would rely on a judgment of this Court in P.Manoharan Vs. The Regional Transport Authority, Srirangam, Tiruchirapalli reported in 2002 Writ L.R. 136, wherein it was held that rural public were entitled for a basic right of free movement and provision of mini bus was made to promote public interest of rural folks. No acceptable reasons were shown as to why Timings Conferences were adjourned when existing operators or Corporations were not prejudiced. Therefore, a direction was issued to fix Timings Conferences within ten weeks of the production of vehicle.

3. In the instant case also, even though the petitioner has produced the vehicle for Timing Conference on 09.01.2006, it has been periodically adjourned for no reason.

4. In such circumstances, this Court is inclined to grant a direction, directing the respondents to conduct Timing Conference within a period of four weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1.The Regional Transport Authority,
Pudukottai.

2.The Secretary,
Regional Transport Authority,
Pudukottai.

+1cc to Special Government Pleader, SR.No. 62513

W.P (MD) No. 2467 of 2013
18.04.2018

rsb

JM/JC/SAR 1/04.05.2018/2P/4C