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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2019

CORAM:

THE HONOURABLE DR.JUSTICE VINEET KOTHARI
AND

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
W.A.Nos.1358 to 1363 of 2013

W.A.No.1358 of 2013

1.The Principal Secretary to Government,
Home Department,
Fort St.George, Secretariat,
Chennai 600 009.

2.The Regional Transport Authority,
Vellore District ... appellants in all the Writ appeals

Vs

1.Dhanbakkiyammal	
V.Kumarasamy	...Ist Respondent in WA.No.1359/13
L.Damodharan	...Ist Respondent in WA.No.1360/13
N.K.Suresh Babu	...Ist Respondent in WA.No.1361/13
A.Babu	...Ist Respondent in WA.No.1362/13
K.Santhakumari	...Ist Respondent in WA.No.1363/13

2.Tamil Nadu State Transport Corporation Ltd.,
(Villupuram), Vellore Region,
rep. By its General manager,
Rangapuram, Vellore ...2nd respondent in all the
Writ Appeals

Writ Appeal filed against the order passed by this Court in
M.P.No.4 of 2012 in W.P.No.1660 of 2012 to WP.No.1665 of 2012
dated 1.2.2013.

WP.No.1660 of 2012:Calling for the records of the 1st respondent
made under Letter No.36241/Transport 3/2011-3 dated 15.9.2011 in
rejecting the request of the petitioner to continue the
operation of her mini bus permit to ply on the route Alangayam
to Vaniambadi and quash the same and direct the 2nd respondent
to grant permit in favour of the petitioner to ply on the route
Alangayam-Vaniambadi



WP.No.1661 of 2012:Calling for the records of the 1st respondent made under Letter No.36241/Transport 3/2011-3 dated 15.9.2011 in rejecting the request of the petitioner to continue the operation of his mini bus to ply on the route Arcot to S.V.Nagaram and quash the same and direct the 2nd respondent to grant the permit in favour of the petitioner to ply on the route Arcot to S.V.Nagaram

WP.No.1662 of 2012:Calling for the records of the 1st respondent made under Letter No.36241/Transport 3/2011-3 dated 15.9.2011 in rejecting the request of the petitioner to continue the operation of his mini bus to ply on the route Pallikonda to Odugathur and quash the same and direct the 2nd respondent to grant the permit in favour of the petitioner to ply on the route Pallikonda to Odugathur

WP.No.1663 of 2012:Calling for the records of the 1st respondent made under Letter No.36241/Transport 3/2011-3 dated 15.9.2011 in rejecting the request of the petitioner to continue the operation of his mini bus to ply on the route Arcot to Random and quash the same and direct the 2nd respondent to grant the permit in favour of the petitioner to ply on the route Arcot to Random

WP.No.1664 of 2012:Calling for the records of the 1st respondent made under Letter No.36241/Transport 3/2011-3 dated 15.9.2011 in rejecting the request of the petitioner to continue the operation of his mini bus to ply on the route Lalapet to Sarvanthangal and quash the same and direct the 2nd respondent to grant the permit in favour of the petitioner to ply on the route Lalapet to Sarvanthangal

WP.No.1665 of 2012:Calling for the records of the 1st respondent made under Letter No.36241/Transport 3/2011-3 dated 15.9.2011 in rejecting the request of the petitioner to continue the operation of her mini bus to ply on the route Arcot to Melakuppam and quash the same and direct the 2nd respondent to grant the permit in favour of the petitioner to ply on the route Arcot to Melakuppam

MP.Prayer No.4/12:Miscellaneous Petition the High Court will be pleased to issue a direction to the 2nd Respondent to grant temporary permit in favour of the Petitioner in terms of the order of this Honourable court made in MP.No.2/12 in WP.1660/12 on the application filed by the Petitioner dated 05.11.2012 & 18.11.2012 received by the office of the 2nd Respondent on 26.11.2012 & 18.11.2012 to ply his mini bus on the route



Alangayam-vanniambaal WP.No.1660/2012
Arcot -S.V.Nagaram WP.No.1661/2012
Pallikonda-Odogathur WP.No.1662/2012
Arcot-Pandam WP.No.1663/2012
Lalapet-Sarvanmangal WP.No.1664/2012
Arcot Melakuppam WP.No.1665/2012 respectively pending disposal
of the above Writ Petition.

For Appellants : Ms.A.Sri Jeyanthi, Spl.G.P.

For Respondents : Mr.M.Palani

COMMON JUDGMENT
(made by DR.VINEET KOTHARI, J.)

These intra court appeals have been filed by the State aggrieved by the interlocutory orders passed by the learned Single Judge on 1 February 2013 in M.P.No.4/2012 in batch of writ petitions in W.P.Nos.1660 to 1664 of 2012, directing the State to grant temporary permit to the respondents herein for plying buses in question on the routes requested by them. The operative portion of the impugned order is extracted below for ready reference.

6. Accordingly, the petitions are allowed, with a direction to the respondents to grant temporary permit and to collect the tax, pending disposal of the writ petition, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that the interim permit and the payment of tax are all subject to main writ petitions.

2. Both the learned counsel in unison submitted that despite this interlocutory order, neither temporary permits were issued to the bus operators nor have they plied their vehicles in the said routes. Both the learned counsel made a joint request that the writ petitions may be directed to be disposed of at an early date.

3. Accordingly, without interfering with the interim order passed by the learned Single Judge, we request the learned Single Judge dealing with the writ petitions, to dispose of them as expeditiously as possible.



4. With the above request, the writ appeals are disposed of.
No costs. Consequently, M.P.Nos.1 and 2 of 2013 are closed.

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Sd/-
Asst.Registrar (CS VIII)

/true copy/
Sub Asst. Registrar

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To

The General manager,
Tamil Nadu State Transport Corporation Ltd.,
(Villupuram), Vellore Region,
Rangapuram, Vellore

+1 cc to Mr.Palani Advocate sr101541
+1 cc to the Government pleader sr 102209

W.A.Nos.1358 to 1363/2013

aa22/01/2020