

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.32239 of 2007
and
M.P.No.2 of 2007

Tamil Nadu State Transport,
Corporation (Coimbatore) Ltd.,
Rep. By its Managing Director,
Mr.Jagannathan,
37, Mettupalayam Road,
Coimbatore-641 043.

...Petitioner

Vs

1.State Transport Appellate Tribunal,
Chennai.

2.The Regional Transport Authority,
Coimbatore (South)
Coimbatore.

3.K.Ramaraj

...Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, calling for the records relating to the order dated 24.07.2007 made in Appeal No.97 of 2007 on the files of the 1st respondent and quash the same.

For Petitioner : Mr.S.Sairaman

For Respondents: Mr.J.Ramesh, AGP for R2

No appearance for R3

O R D E R

It is stated in the affidavit filed in support of this writ petition that the third respondent, who is a mini bus operator, was issued with a license to run the state carriage for the bus bearing Registration No. TN-37-B-8065 for the route Town Hall to Ramachettipalayam (Via) Therenillai Thidal, Chetty Street, Vaiyapuriputhur, Puttuvikki, Kulatheri Black Mariammankoil, Sundakkamuthur, Iyyappankoil and Marutham Nagar. The third respondent made a representation to the petitioner Corporation seeking deviation of the route, since the portion of the route between Vaiyapuriputhur via Puttativikki has been damaged, and the matter culminated in the issuance of proceedings by the second

respondent rejecting the application of the third respondent for deviation, as no public interest is involved. The third respondent preferred an appeal before the first respondent in Appeal No.97 of 2007. It is stated by the petitioner Corporation that even though the petitioner Corporation was not made as a party in the said appeal, the first respondent passed an order on 24.07.2007, without even issuing notice to the petitioner-Corporation, setting aside the order of the second respondent with a direction to pass suitable orders on the application dated 13.06.2006 of the third respondent and to permit the third respondent to ply his vehicle in the alternative route requested by him subject to certain conditions. Aggrieved by the same, the petitioner has come up this writ petition.

2. When this writ petition was taken up, the learned counsel for the petitioner Corporation has submitted that the bus belonging to the third respondent in question is not being operated in the route Town Hall to Ramachettipalayam and further the said bus is not even plying in any other route and hence nothing further remains to be considered in this writ petition for adjudication.

3. Recording the above submission, the writ petition is closed. No costs. Consequently, the connected miscellaneous petition is also closed.

tta

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. State Transport Appellate Tribunal,
Chennai.

2. The Regional Transport Authority,
Coimbatore (South), Coimbatore.

+1cc to The Govt. Pleader, SR.NO.5075

+1cc to Mr.S.Sairaman, Advocate, SR.NO.5220

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kak (26/02/2019)