



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.06.2019

CORAM :

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. Nos.795, 796, 1388 & 1389 of 2009

T.S.Udaya Sankar
Tmt.Leelavathi

Petitioner in W.P.Nos.795 &796 of 2009
Petitioner in W.P.Nos.1388&1389 of 2009

Versus

W.P.No.795 of 2009

1.A.V.Sankar

2.The Regional Transport Authority,
Tiruvallur District,
Tiruvallur.

3.The State Transport Appellate Tribunal,
High Court Building,
Chennai-104.

Respondents

W.P.Nos.796, 1388 & 1389 of 2009

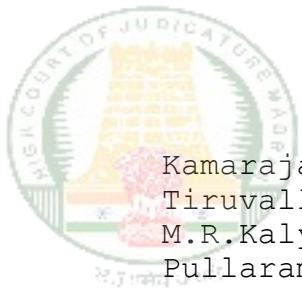
1.S.Sunil Raj,

2.The Regional Transport Authority,
Tiruvallur District,
Tiruvallur.

3.The State Transport Appellate Tribunal,
High Court Building,
Chennai-104.

Respondents

COMMON PRAYER: Writ petitions are filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records of the 3rd respondent made in appeal No.976 and 974 of 2002 respectively dated 16.07.2008 directing the second respondent to grant a mini bus permit in favour of the 1st respondent to ply on the route Tiruvallur Railway Station to Pullambakkam Uthukottai Road Junction (via)



Kamarajapuram, Oil Mill, Government Hospital, State Bank, Tiruvallur Bus Stand, Theradi, R.B.C.C.School, Bazaar Street, M.R.Kalyana Mandapam, Edapalayam, Thalakanheri and Pullarambakkam Colony and quash the same.

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For Petitioners : Mr.M.Palani (in all Wps.)

For R1 : Mr.S.Gopalakrishnan (in all Wps.)

For R2 and R3 : Mr.J.Ramesh (in all Wps.)
Additional Government Pleader

C O M M O N O R D E R

These Writ Petitions have been filed seeking to quash the order of the second respondent made in appeal No.976 and 974 of 2002 respectively dated 16.07.2008 directing the second respondent to grant a mini bus permit in favour of the 1st respondent to ply on the route Tiruvallur Railway Station to Pullambakkam Uthukottai Road Junction (via) Kamarajapuram, Oil Mill, Government Hospital, State Bank, Tiruvallur Bus Stand, Theradi, R.B.C.C.School, Bazaar Street, M.R.Kalyana Mandapam, Edapalayam, Thalakanheri and Pullarambakkam Colony.

2.These writ petitioners are the stage carriage operators in Tiruvallur town and operating a stage carriage bearing Regn.No.TN 21 B 2999, Regn.No.TML 5591 respectively on the route Theradi to Railway Station which is a town service route in Tiruvallur and the distance of the route is only 4.5kms. While so, the first respondent is granted with a mini bus permit by the 2nd respondent to ply on the route Tiruvallur Railway Station to Pullambakkam Uthukottai Road Junction (via) Kamarajapuram, oil Mill, Government Hospital, State Bank, tiruvallur Bus Stand, Theradi, R.B.C.C. School, Bazaar Street, M.R.Kalyana Mandapam, Edapalayam, Thalakanheri and Pullarambakkam Colony. The above said routes forms part of the present mini bus route and on that route, the present mini bus route is having a common sector, from Theradi to Railway Station, which is a town service route in Tiruvallur, with for a distance of 4.5Kms. Therefore, the 2nd respondent without considering that the served sector route bing only 4.5 Kms, has granted the mini bus permit in favour of the first respondent. Aggrieved by the said permit, the petitioners have filed the present petitions.

3.Heard both sides.

4.The learned Additional Government Pleader appearing for the second respondent would submit that, though the second respondent has granted mini bus route permit in favour of the



first respondent in the year 2001, the same was not operated by the first respondent in view of the stay granted by this Court. However, the mini bus permits were granted in favour of the first respondent, based upon the Modified Area, Approved Scheme in respect of Revenue District of Trichy, approved under G.O.Ms.No.1137, Home (Transport III) Department, published in Tamil Nadu Government Gazette dated 17.11.1999. However, the entire scheme was changed by revising the scheme in the year 2011. Hence, the petitioner may apply for a fresh permit under 2011 scheme and the same would be considered by the authorities concerned and pass fresh orders in accordance with law.

5.In view of the above said submission, the petitioner and the first respondent is permitted to make a representation before the concerned authorities under 2011 scheme.

6.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VIII)

//True copy//

Sub Assistant Registrar

sbn

To

1.The Regional Transport Authority,
Tiruvallur District,
Tiruvallur.

2.The State Transport Appellate Tribunal,
High Court Building,
Chennai-104.

+2cc to Mr.M.Palani, Advocate SR.No.49274,49276

+1cc to Government Pleader, High Court.Madras SR.No.50144

W.P. Nos.795, 796, 1388 & 1389 of 2009

VGII(CO)
GMY(13/08/2019)