

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2019

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.3445 of 2019
and W.M.P.No.3741 of 2019

S.Saravana Bavan

...Petitioner

Vs

1.The Regional Transport Authority
Erode District, Erode.

2.The Secretary,
Regional Transport Authority,
Erode District, Erode.

...Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus forbearing the respondents herein from interfering with the operation of the stage carriage permit of the petitioner bearing Regn. No.TN33 BM 1347, plying on the route Tiruchengode to Karur (via) Erode, Kodumudi, Velur and Velayuthapalayam, while operating in between Velayuthapalayam and Karur and vice versa on the straight route namely NH7.

For Petitioner : Mr.M.Palani

For Respondents : Mr.V.Shanmugasundar,
Special Govt.Pleader

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O R D E R

By consent of the learned counsel on either side, the writ petition itself is taken up for final disposal.

2.According to the petitioner, the Motor Vehicle Inspector, Manmangalam, Karur, issued Check report against the petitioner's vehicle calling for explanations, within 14 days from the date of its receipt. Challenging the same, the petitioner is before this Court.

3.The learned Special Govt.Pleader appearing for the respondents would submit that pursuant to the said report dated 28.12.2018, no final order has been passed by the respondent Department.

4.The learned counsel for the petitioner would submit that the petitioner undertakes to file explanation / objections before the first respondent within a week from the date of receipt of a copy of this order and till such time the petitioner shall be protected by way of an interim order.

5.Considering the above submissions and the undertaking that the petitioner will submit objections / explanation to the check report within a period of one week from the date of receipt of a copy of this order, if any such representation is received by the first respondent, the same shall be considered by the first respondent on merits and in accordance with law, and final order be passed as expeditiously as possible, preferably within a period of three weeks, thereafter. Till the final order is passed, there shall be an order of status quo as on today be maintained by both parties.

6.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Deputy Registrar

//True copy//

Sub Assistant Registrar

KM

To

1. The Regional Transport Authority
Erode District, Erode.

2. The Secretary,
Regional Transport Authority,
Erode District, Erode.

+1cc to Mr.M.Palani, Advocate SR.No.12147

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GMV (14/02/2019)