

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2019

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.4668 of 2019

M.Gokulakrishnan

...Petitioner

Vs

1.The Regional Transport Authority
(The District Collector)
Coimbatore (South), Coimbatore-641 004.

2.The Regional Transport Officer,
Kovai Pudur (West), Coimbatore-641 004.

3.V.Padmavathy

...Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the first respondent to consider the representation of the petitioner dated 24.11.2018 for taking appropriate legal action against the permit of the third respondent to operate on the town service Route S-3 Thethepalayam to ESI under Section 86 of the Motor Vehicles Act, 1988.

For Petitioner : Mr.M.Krishnappan, Sr.Counsel for
Ms.R.Swarnalatha

For Respondents: Mr.M.Karthikeyan,
Additional Govt.Pleader for R1 & R2

O R D E R

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

2.According to the petitioner, the petitioner made a representation dated 05.10.2012 to the first and second respondents in respect of his grievance against the third respondent, who is operating her Stage Carriage from Ramanathapuram to Udaiyarpalayam via Puliyakolam, unauthorisedly, thereby not operating via Sowripalayam Pirivu,

which is the permitted route. By proceedings dated 16.07.2013 in Na.Ka.No.115767/A3/2012, the first respondent advised the third respondent to operate in the permitted route. The first respondent has also stated in the order that if any complaint is received against the third respondent in respect of deviation from the permitted route, action would be taken against her, as per the Motor Vehicles Act.

3. Thereafter, the petitioner made representations on 24.11.2018 and 22.01.2019 to the respondents 1 and 2 to take action against the third respondent on account of certain deviations in the route made by the third respondent. Since no action has been taken on the representations, the present writ petition has been filed.

4. Mr. M. Karthikeyan, learned Additional Govt. Pleader, took notice for the respondents 1 and 2 and submitted that if there is any violation made by the third respondent, the first respondent will take appropriate action against the third respondent by considering and passing appropriate orders in accordance with law, on the representation of the petitioner.

5. Considering the above submissions made, this Court is inclined to direct the first respondent to consider the petitioner's representation dated 24.11.2018 and pass appropriate orders on merits and in accordance with law, as expeditiously as possible, after affording an opportunity to the petitioner as well as to the third respondent, within a period of twelve weeks from the date of receipt of a copy of this order.

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

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

KM

To

1. The Regional Transport Authority
(The District Collector), Coimbatore (South), Coimbatore-641
004.

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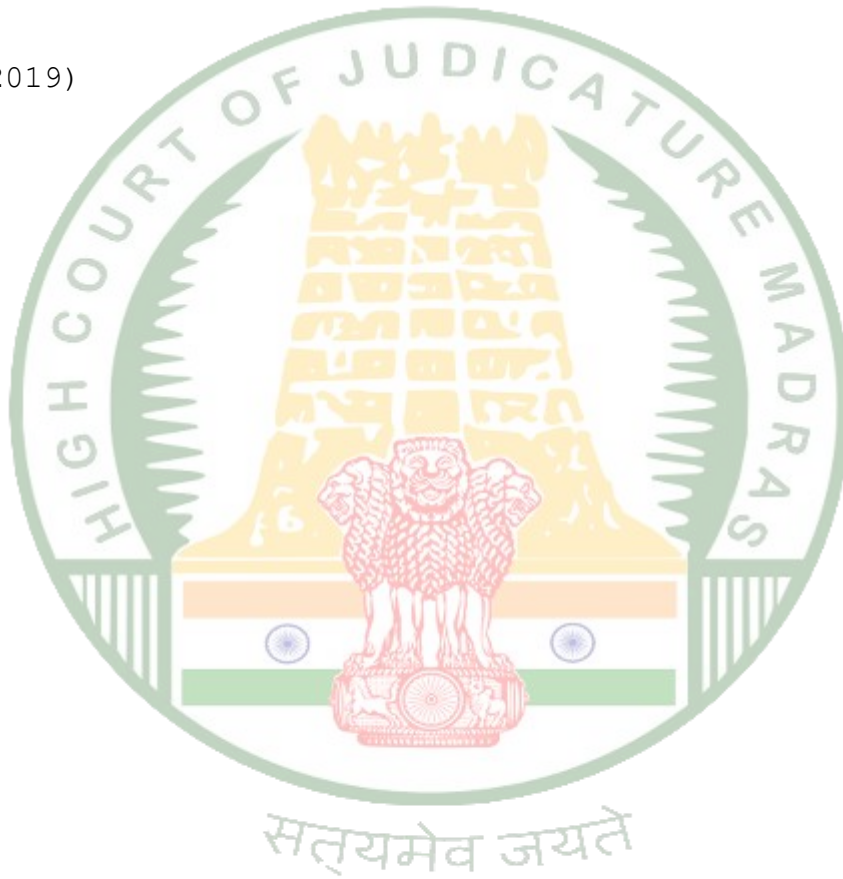
2.The Regional Transport Officer,
Kovai Pudur (West), Coimbatore-641 004.

+1 CC to Govt. Pleader sr 16049.

+1 CC to Ms.R.Swarnalatha, Advocate sr 14913.

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SR(CO)
SP(01/04/2019)



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