

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.11450 of 2019

and

W.M.P.No.11723 of 2019

M/s.Easy Ride Transports,
Represented by its Managing Partner,
M.Jagannathan,
No.5, Town Extension 3rd Street,
Tiruppur.

...Petitioner

Vs.

1.The Secretary,
Regional Transport Authority,
Tiruppur Region North, Tiruppur.

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

...Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for issuance of Writ of Mandamus, directing the second respondent to consider the application for variation of the petitioner, dated 04.12.2008 in respect of the vehicle bearing Regn.No.TN-39-BE-0555 plying on the route Tiruppur to Coimbatore Lakshmi Mills so as to operate in between Tiruppur Old Bus Stand and Coimbatore Gandhipuram Bus Stand.

For Petitioner: Mr.M.Palani

For Respondents: Mr.M.Karthikeyan
Additional Government Pleader

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O R D E R

The prayer in the Writ Petition is for issuance of Writ of Mandamus, directing the second respondent to consider the application for variation of the petitioner, dated 04.12.2008 in respect of the vehicle bearing Regn.No.TN-39-BE-0555 plying on the route Tiruppur to Coimbatore Lakshmi Mills so as to operate in between Tiruppur Old Bus Stand and Coimbatore Gandhipuram Bus Stand.

2. The learned Additional Government Pleader on instructions from the respondents would submit that due to administrative delay, the order passed in W.P.No.29629 of 2016, dated 26.09.2016 has not been complied with and the same will be scrupulously complied by the Department in accordance with law after following the due procedure under the provisions of the Motor Vehicles Act, 1988 and seeks two weeks time as a final chance to comply the above order passed by this Court.

3. The learned counsel for the petitioner would submit that although this Court directed the Regional Transport Authority, Tirupur to consider the application of the petitioner, dated 04.12.2008 in W.P.No.29629 of 2016 on 26.09.2016, the first respondent has not chosen to pass orders for the past two years. it is further submitted by the learned counsel for the petitioner that this Court in W.P.No.12758 of 2003, on 24.04.2003 granted permission to the petitioner to ply on the route till the order is passed by the respondents and insisting upon this Court for similar direction in this Writ Petition also. This Court is not inclined to grant said relief at this stage, in view of the undertaking given by the second respondent that he will pass orders within a period of four weeks from the date of receipt of a copy of this order.

4. In view of the above submission, this Court is directed to consider the application of the petitioner, dated 04.12.2008, as per the direction of this Court in W.P.No.29629 of 2016, dated 26.09.2016, within a period of four weeks from the date of receipt of a copy of this order, failing which, the second respondent has to pass orders in the light of the orders passed in W.P.No.12758 of 2003, dated 24.04.2003.

5. With the above direction, the Writ Petition is disposed of. There is no order as to costs. Consequently, connected miscellaneous petition is closed.
rns

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Secretary,
Regional Transport Authority,
Tiruppur Region North, Tiruppur.

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

+1cc to Mr.M.Palani, Advocate, SR.No.41723
+1cc to the Govt.Pleader, Vide Sr.No.42502

W.P.No.11450 of 2019 &
W.M.P.No.11723 of 2019

Kak (30/04/2019)



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