

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.08.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.16860 of 2019
and
W.M.P.No.16452 of 2019

K.M.Anbarasu .. Petitioner

/versus/

1.The State Transport Appellate Tribunal,
Chennai.

2.The Regional Transport Authority,
Dharmapuri Region,
Collectorate,
Dharmapuri-5.

3.K.M.Inbasekaran ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records of the 2nd respondent relating to the order in R.A.No.A3/44607/2016 dated 23.04.2019 and quash the same and further direct the 1st and 2nd respondents to transfer the stage carrier permit in respect of bus bearing No.TN45/AT6124 plying on route between Kaveripattinam to Hosur along with spare bus permit in respect of bus bearing No.TN29H9255 from the name of the 3rd respondent to the name of the petitioner without reference to the withdrawal of consent by the 3rd respondent.

For Petitioner :Mr.Kandhan Duraisamy

For Respondents :Mr.N.Inbanathan,AGP for
R1 and R2
Mr.Hariharan for R3

O R D E R

The petitioner herein, aggrieved by the order of the second respondent dated 23.04.2019 has preferred this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records of the 2nd respondent relating to the order in R.A.No.A3/44607/2016, dated 23.04.2019, quash the same and

direct the 1st and 2nd respondents to transfer the stage carrier permit in respect of bus bearing No.TN45/AT6124 plying on route between Kaveripattinam to Hosur along with spare bus permit in respect of bus bearing No.TN29H9255 from the name of the 3rd respondent to the name of the petitioner without reference to the withdrawal of consent by the 3rd respondent.

2. Under the statue the petitioner has a right of appeal before the Tribunal. However, due to vacancy of the Presiding Officer, he has approached this Court for the above said relief.

3. Now, it is reported that the Presiding Officer has been appointed.

4. In the light of the above fact, this writ petition is disposed of directing the petitioner to work out his remedy before the first respondent-Tribunal. The first respondent-Tribunal shall take up the matter on priority and pass appropriate orders on merits, preferably within a period of four months from today. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True copy//

Sub Assistant Registrar

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To:

1.The State Transport Appellate Tribunal, Chennai.

2.The Regional Transport Authority,
Dharmapuri Region,
Collectorate,
Dharmapuri-5.

+1cc to Mr.Kandhan Duraisamy*, Advocate SR.No.

+1cc to Mr.K.Hariharan, Advocate SR.No.68858

+1cc to Government Pleader SR.No.69362

W.P.No.16860 of 2019

and

W.M.P.No.16452 of 2019

AD(CO)
GMY(16/09/2019)