



WEB COPY

BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 03.07.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P. (MD) NO. 14871 OF 2019

AND

W.M.P. (MD) NO. 11374 OF 2019

R.Kamaiah

.. Petitioner

- Vs -

1. The District Collector
Theni District.
2. The General Manager
Tamil Nadu State Transport
Corporation (Madurai) Ltd.
3. The Secretary
Regional Transport Authority
Theni, Theni District.
4. The Manager
Tamil Nadu State Transport
Corporation, Periyakulam Depot
Theni District.
5. The Executive Officer
Thamaraikulam Town Panchayat
Periyakulam Taluk, Theni District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing respondents herein to restore the regular public transport service facilities to Thamaraikulam Town Panchayat already provided by respondents 2 to 4 herein by issuing necessary time tables for the buses in accordance with law.

For Petitioner : Mr. K.Appadurai

For Respondents : Mr. J.Gunaseelan Muthiah, AGP for RR-1

& 3

Mr. Senthil Kumaraiah for RR-2 & 4
Mr. R.Murugan for R-5

**ORDER**

(Order of the Court was made by M.Sathyannarayanan, J.)

Mr.J.Gunaseelan Muthiah, learned Addl. Government Pleader takes notice for respondents 1 and 3; Mr.Senthil Kumaraiah, learned standing counsel takes notice for respondents 2 and 4 and Mr.Murugan, learned counsel takes notice for the 5th respondent. By consent, the writ petition is taken up and disposed of by this order.

2. The petitioner claims to be a resident of Tamaraikulam Town Panchayat, Theni District and has come forward with the present petition, styled as a public interest litigation, stating, among other things, that Tamaraikulam Town Panchayat is having a population of more than twenty thousand persons and the office of the Sub Collector is also situated within the Town Panchayat limit of Tamaraikulam and that apart there are educational institutions, banks and other Government offices. However, the bus service to the said place is wholly inadequate. It is further averred by the petitioner that though 6 to 7 permits have been issued to provide transportation facility, most of the buses are not in operation, including the buses operated by the Tamil Nadu State Transport Corporation Ltd., Madurai and in this regard, the petitioner submitted a detailed representation dated 26.11.18 to respondents 1 and 4 as well as to the Deputy Collector, Periyakulam and since no response is forthcoming, he has come forward to file the present petition.

3. Learned standing counsel appearing for the 4th respondent, on instructions, submit that four buses are being operated by the 4th respondent Corporation, including one ladies special and made a further submission that the allegation levelled against the 4th respondent is wholly unfounded.

4. This Court carefully considered the submissions advanced on either side and also perused the materials available in the typed set of documents.

5. Though the petitioner prays for a larger relief, in the light of the facts and circumstances of the case, without going into the merits of the claim raised either in the representation or in the writ petition, this Court directs the 1st respondent to consider and dispose of the petitioner's representation, dated 26.11.18, on merits and in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order and shall communicate the decision taken to the petitioner as well as to the other respondents. The 1st respondent, if required, shall also depute officials to cause surprise inspection as to the adherence of the conditions of timing and transport permits.



6. This writ petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

To

1. The District Collector,
Theni District.
2. The General Manager,
Tamil Nadu State Transport,
Corporation (Madurai) Ltd.
3. The Secretary,
Regional Transport Authority,
Theni, Theni District.
4. The Manager
Tamil Nadu State Transport
Corporation, Periyakulam Depot
Theni District.
5. The Executive Officer,
Thamaraikulam Town Panchayat,
Periyakulam Taluk, Theni District.

+1 CC to M/s.K.APPADURAI, Advocate SR-73046.

+1 CC to Mr.J.SENTHIL KUMARAI AH, Advocate SR-73034.

+1 CC to SPL GP SR-73535.

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