



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2019

CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mrs.JUSTICE R.THARANI

W.A. (MD) .No.950 of 2019

and

W.M.P. (MD) No.8575 of 2019

M.Palswamy

... Appellant/Petitioner

Vs.

1.Regional Transport Authority,
Nagercoil,
Kanyakumari District.

2.The Regional Transport Officer,
Nagercoil,
Kanyakumari District.

3.The Deputy Superintendent of Police,
Nagercoil,
Kanyakumari District.

... Respondents/Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, against the order passed by this Court in W.P.(MD).No.6084 of 2016 dated 02.07.2019.

Prayer in WP(MD). 6084/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarai calling for the records pertaining to the notice issued by the 3rd respondent in C.No. 815/SDO(N)/2003 dated 18.09.2003 and quash the same.

For Appellant : Mr.H.Velavadhas

For Respondents : Mr.A.K.Baskapapandian
Spl.Govt.Pleader



JUDGMENT

(Order of this Court was made by T.S.SIVAGNANAM, J)

Heard Mr.H.Velavadhas, learned counsel appearing for the petitioner and Mr.A.K.Baskarapandian, learned Special Government Pleader for the respondents.

2. This appeal is directed against the order and direction in W.P.(MD).No.6084 of 2016 dated 02.07.2019.

3. The appellant filed the Writ Petition challenging the Notice issued by the 3rd respondent, dated 18.09.2003, stating that the appellant's Mini bus is not allowed to park in an area, which has been declared as No-parking zone. Appellant's case is that he is operating his bus, as per the approved route which is from Chettikulam Government School to A.N.Kudi and as per the permit condition, the appellant's mini bus has to stop and turn at Chettikulam Government School. According to the appellant, that could not be done and therefore, he wanted to proceed further and take a U-turn.

4. The Regional Transport Officer, Nagercoil, the 2nd respondent, filed a counter affidavit in the Writ Petition stating that there is U-turn available at Chettikulam Government School Junction, Sarguna Veethi Road and the object of the appellant is to ply his mini bus to Anna Bus stand. If this is permitted, it will not only violate the permit condition, but that would be violating the served sector restriction. Therefore, we find that there is no error in the order passed in the Writ Petition. For such reasons, the appeal is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

MPK

To

1.The Regional Transport Authority,
Nagercoil,
Kanyakumari District.



2.The Regional Transport Officer,
Nagercoil,
Kanyakumari District.

3.The Deputy Superintendent of Police,
Nagercoil,
Kanyakumari District.

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