



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2019

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHANW.P. (MD) No. 22992 of 2015 andM.P. (MD) No. 1 of 2015

WEB COPY

S.Premasaki

... Petitioner

Vs.

1. The Regional Transport Authority,
Dindigul (Collectorate),
Dindigul District.
2. The Regional Transport Officer,
Dindigul, Dindigul District.
3. The Regional Transport Officer,
Pudukkottai,
Pudukkottai District.
4. The Inspector of Police,
Ponnamaravathy police station,
Ponnamaravathy, Pudukkottai District.
5. S.Kumaravel

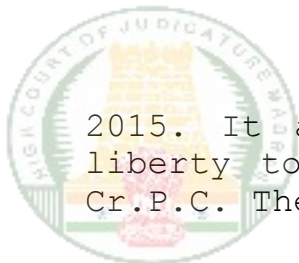
... Respondents

Prayer: Writ petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the fourth respondent to forbear the fifth respondent and their men or their agents from interfering or creating any trouble to the petitioner's stage carriage bearing Registration No. TN 57 AD 0941 while boarding the passengers at Ponnamaravathy bus stand towards Dindigul.

For Petitioner	: Mr.A.C.Asaithambi
For R-1 to R-4	: Mr.A.Robinson, Government Advocate (Crl. Side)
For R-5	: No appearance.

ORDER

The petitioner is a bus operator. She is plying her bus from Ponnamaravathy to Dindigul. Her grievance is that the fifth respondent is causing trouble to her operations. Her bus departs from Ponnamaravathy bus stand at 03.07 p.m, the fifth respondent is operating his bus from Ponnamaravathy to Kottampatti, his bus leaves little earlier in point of time. But then, the passengers appear to prefer the petitioner's bus. The petitioner complains that the fifth respondent is virtually compelling the passengers to get down from the petitioner's bus and instead board his bus. This has given rise to tension between the petitioner and the fifth respondent on almost daily basis. The petitioner has given a complaint before the Regional Transport Officer, Pudukkottai. Since no action was taken, the petitioner filed W.P.(MD)No.21845 of



2015. It appears that the said writ petition was withdrawn with liberty to work out the petitioner's rights under Section 482 of Cr.P.C. Therefore, this writ petition came to be filed.

2. I am of the view that this Court cannot issue any direction against the fifth respondent.

3. It is further seen that the case is of the year 2015. We are now in the year 2019. More than four years have elapsed. This is an issue that has to be addressed only by the Regional Transport Officer, Pudukkottai. Therefore, the petitioner is at liberty to submit a fresh representation to the Regional Transport Officer, Pudukkottai. On such representation being filed, the Regional Transport Officer, Pudukkottai, shall enquire both the parties and pass orders in accordance with law within a period of six weeks, thereafter.

4. The writ petition stands disposed of, on these terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pmu

To:

1. The Regional Transport Authority,
Dindigul (Collectorate),
Dindigul District.
2. The Regional Transport Officer,
Dindigul, Dindigul District.
3. The Regional Transport Officer,
Pudukkottai,
Pudukkottai District.
4. The Inspector of Police,
Ponnamaravathy police station,
Ponnamaravathy, Pudukkottai District.

W.P. (MD) No.22992 of 2015
09.12.2019

SMA/13/02/2020/2P/5C