



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2019

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.(MD) No.22630 of 2019 and

WMP (MD No.19382 of 2019

WEB COPY

K. Muruganantham

Petitioner

Vs

1. The District Collector cum
Regional Transport Authority
Collectorate
Trichy
2. The Regional Transport officer
Srirangam
Trichy
3. The Divisional Manager
Tamil Nadu State Transport Corporation Ltd
DM City
Trichy District
4. The General Manager
Tamil Nadu State Transport Corporation Ltd
Trichy District

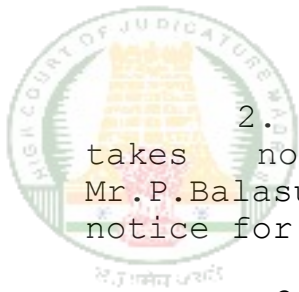
Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the respondents 2 & 3 from interfering or creating trouble to the operation of his mini bus bearing Reg.No.TN 57 E 5130, plying on the route Srirangam Girls Higher Secondary School upto Rajagopuram Bus stop to Paramasivapuram Arch and pass such other orders.

For Petitioner	: M/s.A.C.Asaithambi
For Respondent	: For R1 & R2 - Ms.J.Padmavathi Devi Special Government Pleader For R3 & R4 - Mr.P.Balasubramanian Standing Counsel

O R D E R

This Writ Petition is filed by the petitioner forbearing the respondents 2 & 3 from interfering or creating trouble to the operation of his mini bus bearing Reg.No.TN 57 E 5130, plying on the route Srirangam Girls Higher Secondary School upto Rajagopuram Bus stop to Paramasivapuram Arch.



2. Ms.J.Padmavathi Devi, learned Special Government Pleader takes notice on behalf of the respondents 1 & 2. Mr.P.Balasubramanian, learned Standing Counsel for State takes notice for the respondents 3 & 4.

3. Heard both sides and perused the documents available on record.

4. On a perusal of the documents, it is seen that the writ petitioner is a mini bus operator of the bus bearing Reg.No. TN 57 E 5130, plying on the route Srirangam Girls Higher Secondary School upto Rajagopuram Bus stop to Paramasivapuram Arch via Lalgudi 7th Ward and the permit is valid till 28.08.2010. It is admitted by the petitioner that though the route permitted was from Srirangam Girls Higher Secondary School upto Paramasivapuram Arch, as there was a Railway over bridge constructed across the Srirangam Railway station, the mini bus belonging to the petitioner was plying via Srirangam Rajagopuram, which is deviation from the permit issued to him. Hence, there was an objection from the respondents 3 & 4, who are the Tamil Nadu State Transport Corporation Ltd, Trichy. In view of the objection raised by the respondents 3 & 4, the writ petition is filed for forbearing the respondents 3 & 4 / Tamil Nadu State Transport Corporation Ltd, Trichy, from interfering with the operation of the mini bus belonging to the petitioner upto Srirangam Rajagopuram bus stop to Paramasivapuram Arch.

5. Upon instructions, the learned Special Government pleader, who appears for the respondents 1 & 2 has filed a sketch indicating the permitted route to the petitioner and also deviating route taken by him upto Srirangam Rajagopuram. The learned Special Government pleader further states that the petitioner is not permitted to go upto Srirangam Rajagopuram and that he has to terminate the bus at Srirangam Girls Higher Secondary School itself. So admittedly, there has been a deviation by the petitioner.

6. The learned counsel for the petitioner contended that operating mini bus only in the permitted route is very difficult, as he is unable to take turn at the Srirangam Girls Higher Secondary School. Even assuming that it is difficult for the petitioner to terminate the bus at Srirangam Girls Higher Secondary School stop, it is for the petitioner to approach the authorities concerned to work out his remedy with them and not to interfere with the operation of the buses belonging to the respondents 3 & 4. The learned counsel appearing for the petitioner submitted that he has taken the deviation route due to the difficulty expressed as above.

7. The respondents 1 & 2 state that due to plying the vehicle in non-permitted route by violating the permit, the vehicle was confiscated and fine also imposed on the petitioner, for breach of permitted route. Be that as it may, even if the petitioner is in



the permitted bus stop, it is open to the petitioner to approach the authorities concerned and he cannot maintain the writ petition seeking negative prayer before this Court.

8. With the above observation, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar (crl side)

// True Copy //

Sub Assistant Registrar(CS)

Vrn

1. The District Collector cum
Regional Transport Authority
Collectorate
Trichy
2. The Regional Transport officer
Srirangam
Trichy

+1 CC to Mr.P.BALASUBRAMANIAM, Advocate (SR-103369[F] dated 04/12/2019)

+1 CC to SPL GP (SR-103594[F] dated 05/12/2019)

+1 CC to Mr.A.C.ASAITHAMBI, Advocate (SR-104019[F]dated 09/12/2019)

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