

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2020

CORAM :

The Hon'ble Mr.A.P.SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SETHILKUMAR RAMAMOORTHY

W.A.Nos.335, 336, 339, 340, 369, 371, 372 and 382 of 2020

K.Vaithianathan .. Appellant in WA.335/2020
S.P.Dhandapani .. Appellant in WA.336/2020
K.Vaithianathan .. Appellant in WA.339/2020
S.Mathivanan .. Appellant in WA.340/2020
A.Viswanathan .. Appellant in WA.369/2020
B.Ramalingam .. Appellant in WA.371/2020
M.Rajaveni .. Appellant in WA.372/2020
B.Ramalingam .. Appellant in WA.382/2020

-vs-

- 1.The Government of Tamil Nadu,
Rep. by the Secretary to Govt.,
Home, Prohibition and Excise
(Transport-III) Dept.,
Fort St. George, Chennai 600 009.
- 2.The Transport Commissioner,
Govt. of Tamilnadu, Chennai 600 005.
- 3.The Government of Puducherry,
Rep. by the Secretary to Govt.,
Transport Dept., Puducherry. ..Respondents in all WAs.

Appeals filed under Clause 15 of the Letters Patent against the common order dated 27.11.2019 passed in W.P.Nos.11577, 14647, 11626, 11656, 9478, 22118, 9660 and 22117 of 2011 on the file of this Court.

1.Prayer in WP No.11577 of 2011

Calling for the records in G.O.Ms.NO.118 Home Department dt.18.2.2011 and quash the same and further direct the respondents to prepare and publish the Supplemental Reciprocal Agreement by including the petitioner Route Puducherry to Neyveli via, Villianur, Ariyur, Madagadipet, Valavanur, Koliyanur Cross Road, Panruti and Vadalur Koot Road

2.Prayer in WP No.14647 of 2011

Calling for the records in G.O.Ms.118 Home Department Dated 18.2.2011 and quash the same, further direct the respondents to prepare and publish the Supplemental Reciprocal Agreement by including the petitioner name and route, Cuddalore to Tindivanam (Via) Pondicherry and Kilianur by the Government of Pondicherry and Tamil Nadu

3.Prayer in WP No.11626 of 2011

calling for the records in GO MS No.118 Home Department dated 18.2.2011 and quash the same and further direct the respondents to prepare and publish the Supplemental Reciprocal Agreement by including the petitioners route Puducherry to Villupuram (via) Madukarai (2 trips) and Pondicherry to Villupuram (via) Villianur, Kandamangalam (10trips) and pass such other order or orders as this Honourable Court may deem fit

4.Prayer in WP No.11656 of 2011

calling for the records in GO Ms No.118 Home Department dated 18.2.2011 and quash the same and further direct the respondents to prepare and publish the supplemental Reciprocal Agreement by including the petitioners varied route Marakanam to Cuddalore via., Puducherry as varied route by the Govt. of Puducherry and pass such other order or orders as this Honourable Court may deem fit

5.Prayer in WP No.9478 of 2011

Calling for the records in G.O.Ms.No.118 Home (Transport-III) Department dated 18.2.2011 issued by the 1st Respondent and quash the same and further direct the respondents to prepare and publish the Supplemental Reciprocal Agreement by including the petitioners varied route Puducherry to Chennai via kilianur, Tindivanam, Madurantagam and Chenglepet as varied route by the Govt. of Puducherry.

6.Prayer in WP No.22118 of 2011

Calling for the records in G.O.Ms.No.118 Home Department dated 18.2.2011 and quash the same and further direct the respondents to prepare and publish the Supplemental Reciprocal Agreement by including the petitioner route Pondicherry to Villupuram via. Villianur, Ariyur, Kandamangalam, Valavanur by the Govt. of Puducherry

7.Prayer in WP No.9660 of 2011

Calling for the records in G.O.Ms.No.118 Home (Transport-III) Department dated 18.02.2011 and quash the same and further direct the respondents to prepare and publish the Supplemental Reciprocal Agreement by including the petitioners varied route Puducherry to Chennai via Kilianur, Tindivanam, Madurantagam and Chenglepet as varied route by the Govt.of Puducherry

8.Prayer in WP No.22117 of 2011

Calling for the records in G.O.Ms.No.118 Home Department dated 18.2.2011 and quash the same and further direct the respondents to prepare and publish the Supplemental Reciprocal Agreement by including the petitioner route Pondicherry to Chennai via. Marakkanam, Mahabalipuram, Kovalam and Adyar by the Govt. of Puducherry

For Appellants : Mr.N.Krishnappan, Sr.Counsel
in WAs.335, 336, 339 for M/s.Swarnalatha
and 340 of 2020 Ramachandran

in WAs. 369, 371, 372 : M/s.G.P.Bhargavi
and 382 of 2020

For Respondents : Mr.Kamalesh Kannan
Govt. Advocate for RR 1 & 2
: Mrs.N.Mala,
Addl.G.P. (Pondy) for R-3 in
all WA's

COMMON JUDGMENT

(Delivered by The Hon'ble Chief Justice)

Heard learned counsel for the appellants and learned counsel for the respondents.

2. These appeals come up with a limited prayer that even though the learned Single Judge has accepted the contention of the consideration of the objections raised in a fair and transparent manner, yet, no time frame has been indicated for the disposal of the said objections, which was necessary keeping in view the fact that this relates to a Government Order concerning inter-state bus services, the impact whereof has to be taken into account in the background of lapse of 35 years.

3. The contention, therefore, is that if the objections remain undecided, the appellants would not be able to know of the final outcome of the objections raised by them before the respondents.

4. Having considered the submissions raised, we find from paragraph 7 of the impugned judgment that the learned counsels had agreed on the issues that were raised and had limited their prayer only for consideration of their objections.

5. We are not entering into the merits of such objections inasmuch as whether the objections can be entertained or otherwise is subject to the provisions of the Motor Vehicles Act, 1988 and the law as laid down by the Apex Court in various decisions, but, nonetheless, we do not find it necessary to intervene at the instance of the appellants for any such direction as prayed even if it is only for a limited relief for fixing the time limit for disposal of objections.

We do not find any reason to entertain these appeals, which are accordingly consigned to records. No costs.

Sd/-

Assistant Registrar(CS III)

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Sub Assistant Registrar

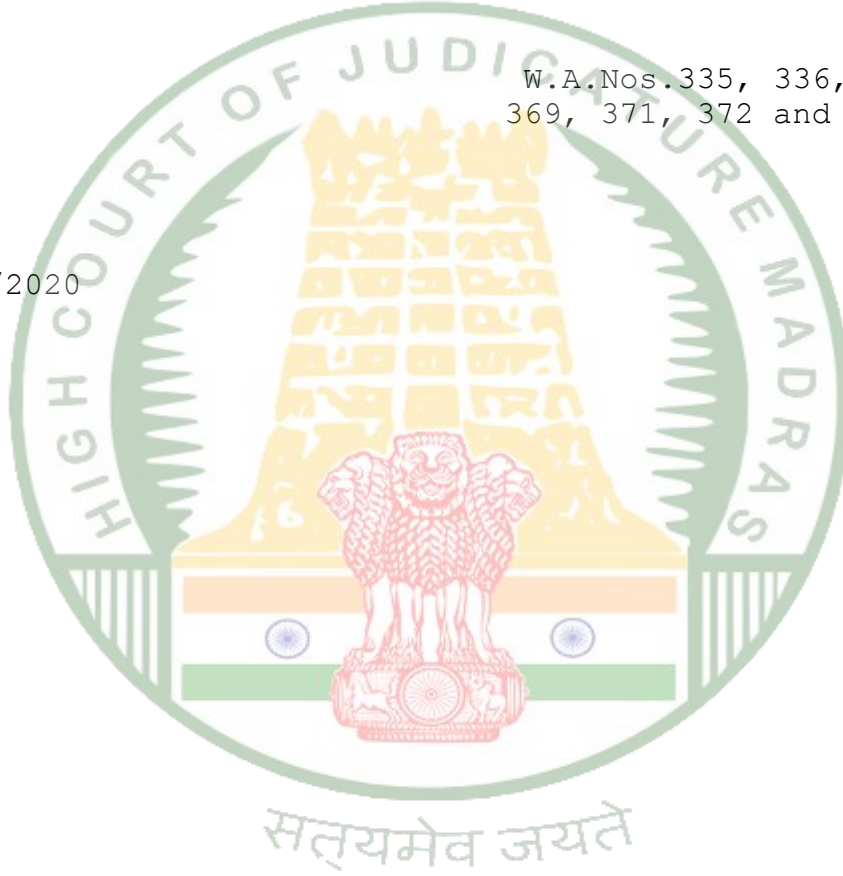
sra

To

- 1.The Secretary to Govt. of Tamil Nadu,
Home, Prohibition and Excise
(Transport-III) Dept.,
Fort St. George, Chennai 600 009.
- 2.The Transport Commissioner,
Govt. of Tamilnadu, Chennai 600 005.
- 3.The Secretary to Govt. of Puducherry,
Transport Dept., Puducherry.

W.A.Nos.335, 336, 339, 340,
369, 371, 372 and 382 of 2020

SVI (CO)
KKV/07/09/2020



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