

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.11.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.15812 of 2020

H. Rekha

.. Petitioner

Vs

The Secretary,
Regional Transport Authority,
Hosur Region,
Krishnagiri District

.. Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 10.1.2020 requesting the respondent authority to convene timing conference in respect of grant of mini bus route permit in terms of the proceedings R.No.31150/B23/2004, dated 17.3.2006 of the Regional Transport Officer, Krishnagiri.

For Petitioner : Mr.R.Srinivasalu

For Respondents: Mr.S.N.Parthasarathy

ORDER

This Writ Petition has been filed for the issue of Writ of mandamus to consider the representation made by the petitioner on 10.1.2020, wherein, the petitioner is requesting the respondent to convene a timing conference in respect of grant of Mini Bus Route permit in terms of the proceedings dated 17.3.2006 of the Regional Transport Officer, Krishnagiri.

2.Heard Mr.R.Srinivasalu, learned counsel appearing for the petitioner and Mr.S.N. Parthasarathy, learned Govt. Advocate appearing for the respondent.

3. It is seen from records that the brother of the petitioner had made a similar claim earlier and the same was rejected. He filed a Writ Petition before this court in W.P.No.28114 of 2018. This Writ Petition was dismissed and aggrieved by the same, he filed W.A.No.1348 of 2019. A Division Bench of this Court allowed that Writ Appeal by an order dated

12.4.2019. The Division Bench, while allowing the Writ Appeal, directed the respondent to consider the representation made by the brother of the petitioner and pass orders on merits in accordance with law. After the orders were passed in Writ Appeal on merits, the brother of the Writ Petitioner had sent a representation to the respondent requesting to consider and pass orders. The respondent rejected the claim made by the brother of the petitioner and aggrieved by the same, he filed an appeal before the State Transport Appellate Tribunal, Chennai. The Tribunal, by an order dated 30.12.2019 was pleased to set aside the order passed by the respondent and had remitted back the matter to the respondent.

4. According to the petitioner, she is also similarly placed and therefore is requesting for a direction from this Court to direct the respondent to consider her representation and pass orders in accordance with law.

5. Taking into consideration the facts and circumstances of the case and the earlier proceedings that had taken place with regard to the brother of the petitioner, there shall be a direction to the respondent to consider the representation made by the petitioner on 10.1.2020 and pass orders strictly in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the respondent along with relevant documents and a copy of this order.

6. This Writ Petition is disposed of with the above direction. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

msr
To

The Secretary,
Regional Transport Authority,
Hosur Region,
Krishnagiri District

+1 CC to Mr.R.Srinivasalu, Advocate sr 35978
+1 CC to The Government Pleader sr 36484

W.P.No.15812 of 2020

MP (CO)
SP(11/12/2020)