



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2020

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P (MD)No.6658 of 2020

and

W.M.P (MD)No.6010 of 2020

WEB COPY

T.K.Krishnasamy

... Petitioner

Vs.

1.The Regional Transport Authority -cum-
The District Collector,
Dindigul.

2.The Regional Transport Officer,
Palani.

3.The Superintendent of Police
Dindigul.

4.P.Natarajan

5.P.Bharathi

... Respondents

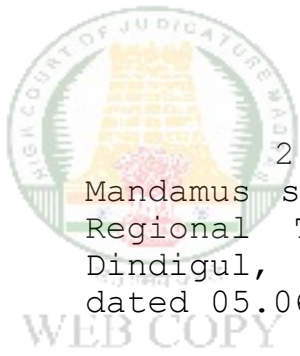
PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to conduct an enquiry and to revoke the transfer of the stage carriage permit from the name of the petitioner to the name of the fourth respondent and the subsequent transfer to the name of the fifth respondent and to restore the permit to the name of the petitioner on the route Ottanchathiram Bus Stand to Vendasandur with reference to the representation dated 05.06.2020 of the petitioner.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.M.Rajarajan,
R1 to R3 Government Advocate

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.



2.The writ petition has been filed in the nature of Mandamus seeking a direction to the first respondent, namely, the Regional Transport Authority - cum - The District Collector, Dindigul, to conduct an enquiry pursuant to the representation, dated 05.06.2020 given by the petitioner.

3.Heard the learned Counsel on either side and perused the entire materials available on record.

4.The petitioner claims that he is a Stage Carriage Operator in the route Ottanchathiram Bus Stand to Veda sandur, in respect of vehicle bearing Registration No.TN 57 R 1679. It is claimed that he has availed finance from one Gunasekaran and signed in various documents and he claimed that he could not settle the entire liability. The said Gunasekaran got the transfer of permit to his name, by using the signed blank papers. In order to transfer the permit to his name, the petitioner had moved writ petitions and subsequently, by way of compromise, writ petitions were disposed of. These require facts to be adduced to support these allegations. In the affidavit, further allegations have been stated. Since the writ petition is for a mandamus seeking enquiry, it may be inappropriate on my part to examine each and every allegation.

5. Accordingly, a Mandamus is issued directing the 1st respondent to issue notice to the petitioner and also to the 4th and 5th respondents, P.Natarajan, Ambilikai Village, Ottanchathiram Taluk, Dindigul District, and P.Bharathi, Perumalnaickenvalasu, Ottanchathiram Taluk, Dindigul District, conduct an enquiry after affording due opportunity of hearing to the petitioner as well as the 4th and 5th respondents and pass orders on the representation dated 05.06.2020. It is to be noted that the representation was dated 05.06.2020 and the writ petition had been filed on 09.06.2020, with just one working day available in between the two dates. In view of the above facts, it would not be appropriate to fix a time limit. This Court hopes that the first respondent would conduct enquiry and complete the process as expeditiously as possible.

6.With the above observation, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

- 1.The Regional Transport Authority -cum-
The District Collector,
Dindigul.
- 2.The Regional Transport Officer,
Palani.
- 3.The Superintendent of Police
Dindigul.

W.P (MD) No. 6658 of 2020

11.06.2020

AP(18/06/2020) 3P 4C