



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 6649 of 2019 and

W.M.P. (MD) Nos. 5308, 5309 & 11823 of 2019

WEB COPY

S.Rajendra Prasad

... Petitioner

Vs.

The Regional Transport Authority,
Nagercoil,
Kanyakumari District.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent made in his proceedings in 003893/a3/2019 dated .02.2019 and quash the same and to permit the petitioner's mini bus to operate via Savariyor Church, Chettikulam Junction in Vehicle Nos.TN 74 E 7014 and TN 74 F 8636 and Vadasery, Anna Bus Stand in Vehicle No.TN 74 E 7206 within the period stipulated by this Court.

For Petitioner : Mr.H.Velavadhas

For Respondents : Mr.M.Rajarajan,
Government Advocate.

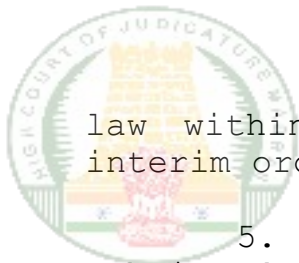
O R D E R

Heard the learned counsel on either side.

2. The petitioner was granted permit to operate his vehicles mentioned in the petition through a particular route. Following the declaration of a part of the route as one way, the petitioner was asked to ply his vehicles through another route. To this effect, the impugned order came to be passed. The same is under challenge in this writ petition.

3. The writ petition was entertained and it is seen that the interim order was also granted. The same is holding good as on date.

4. I am of the view that in the very nature of things, the respondent must take a call in the matter. It is not known as to whether the route in question continues to remain as one way. Therefore, the petitioner is directed to submit a fresh representation to the respondent within a period of two weeks from the date of receipt of a copy of this order. The respondent is directed to pass orders on the same on merits and in accordance with



law within a period of eight weeks, thereafter. Till then the interim order passed by this Court shall continue.

5. The learned counsel appearing for the writ petitioner submitted that the Transport Commissioner had issued a circular bearing letter No.90919/E2/2000 dated 29.11.2000. He further submitted that the said circular is still holding good. The first respondent shall pass orders by bearing in mind the mandate set out in the circular.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are 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:

The Regional Transport Authority,
Nagercoil,
Kanyakumari District.

W.P. (MD) No. 6649 of 2019
13.07.2020

pmu

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