



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.9491 of 2019
and
W.M.P.(MD)No.7468 of 2019

R.John

... Petitioner

Vs.

- 1.The Regional Transport Authority,
Collectorate,
Nagercoil,
Kanyakumari District.
- 2.The Regional Transport Officer,
Marthandam,
Kanyakumari District.
- 3.The Managing Director,
Tamil Nadu State Transport Corporation,
Tirunelveli Division,
Tirunelveli District.
- 4.The Branch Manager,
Tamil Nadu State Transport Corporation,
Thiruvattar,
Kanyakumari District.
- 5.The Branch Manager,
Tamil Nadu State Transport Corporation,
Thingal Nagar,
Kanyakumari District.
- 6.The Inspector of Police,
Thuckalay Police Station,
Thckalay,
Kanyakumari District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the 3rd to 6th respondents or their officials, men and agents from interfering creating any trouble to the operation of the petitioner's two mini buses bearing TN 57 H 1931 and TN 67 S 3385 plying on the route Mekkamandapam, Azhagiyamandapam to Perumchilambu.



For Petitioner : Mr.A.C.Asaithambi
For Respondents : Mrs.S.Srimathy,
Special Govt. Pleader for R1, R2 & R6
Mr.R.Rajamohan for R3 to R5

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O R D E R

Heard the learned counsel on either side.

2.The petitioner's counsel has filed this writ petition on the footing that when the petition mentioned vehicle are plying on the route on touching Azhagiyamandapam, the respondents are unnecessarily interfering with the same.

3.The learned standing counsel for the respondents 3 to 5 submitted that while the petitioner is having permit to ply from Mekkamandapam to Perumchilambu, the place Azhagiyamandapam is not figuring in the permit. This Court called upon the petitioner's counsel to draw my attention to the permit. It is seen that the permitted route is from Mekkamandapam to Perumchilambu via certain other places. In those places Azhagiyamandapam is not found. While the respondents cannot interfere with the petitioner's plying of the bus as per the permit conditions, the petitioner cannot surreptitiously include Azhagiyamandapam also in the route, when the same is not finding mention in the permit. The petitioner has also not enclosed the route sketch or map so as to indicate that the said Azhagiyamandapam is also in the permitted route. I therefore find no ground to grant relief. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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,
Collectorate,
Nagercoil,
Kanyakumari District.
2. The Regional Transport Officer,
Marthandam,
Kanyakumari District.
3. The Inspector of Police,
Thuukalay Police Station,
Thckalay,
Kanyakumari District.

+1 CC to Mr.R.RAJAMOHAN, Advocate (SR-15492[F] dated 01/09/2020)
+1 CC to the SPL GP (SR-15543[F] dated 01/09/2020)

W.P. (MD)No.9491 of 2019

31.08.2020

(1/2)

CS(08.09.2020) 3P 6C