



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2021

CORAM

The Honourable Mr. Justice R.MAHADEVAN

W.P.No.14782 of 2021

M/s.Star Maxx
Rep. by its Proprietor
Abdul Rahman
No.207/8, Kulandai Gounder Vayal,
Bilal Estate, 2nd Street,
South Ukkadam,
Coimbatore - 641 001.

...Petitioner

Versus

1.The Secretary,
Tamil Nadu State Transport Corporation,
Secretariat,
Fort St.George,
Chennai - 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
No.12, Ramakrishna Salai,
Salem - 636 007.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to consider the petitioner's representation dated 23.06.2021 seeking for direction directing the second respondent to levy monthly rent and other charges on Pro rata basis on the number of plying buses consequently, direct the second respondent to refund the entire amount of Rs.25,08,350/- as per the agreement executed by the second respondent in the event of non acceptance of petitioner's representation dated 23.06.2021.

For Petitioner : Mr.B.Manimaran

For Respondents: Mr.G.Krishnaraja,
Government Advocate



O R D E R

Mr.G.Krishnaraja, learned Government Advocate takes notice for the respondents. With the consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.

2.According to the petitioner, to display advertisements in the buses operated by the second respondent in the Dharmapuri region, they have paid a total sum of Rs.25,08,350/- towards security deposit and EMD. After making payment, from 24.02.2021, they were permitted to publish advertisements in the buses and they promptly paid monthly rents as agreed. While so, on account of lock down announced by the Government due to pandemic covid situation, no buses were operated by the second respondent, which forced the customers to stop / cancel the advertisements given to the petitioner. As a result of the same, the petitioner was unable to pay the monthly rents and other charges to the second respondent. Therefore, they made a representation dated 23.06.2021 to the second respondent permitting them to pay 25% of the amount for advertisements, besides requesting to refund the security deposit and EMD of Rs.25.08,350/- already paid by them, in the event of non-acceptance of the said request. Finding no response on the said representation, the petitioner has preferred this writ petition seeking appropriate direction to the respondents.

3.Heard the learned counsel on both sides and perused the materials placed before this Court.

4.Considering the limited relief sought by the petitioner, this Court, without going into the merits of the case, directs the second respondent to consider the petitioner's representation dated 23.06.2021 and pass appropriate orders on merits and in accordance with law, as expeditiously as possible, preferably, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner.

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

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar



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+1cc to Mr.B.Manimaran, Advocate, S.R.No.33739
+1cc to the Government Pleader, S.R.No.34306

W.P.No.14782 of 2021

EV(CO)
CB(26/08/2021)