

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. No. 7979 of 2016

and

W.M.P. No. 7105 of 2016

(Through Video Conferencing)

R.Rathnasamy,
Gounder

... Petitioner

Vs

1. The Regional Transport Authority,
Tirupur Region - North,
Collectorate,
Tirupur - 641 605.

2. J.Lalithamani

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent herein to clearly determine the intermediate places on the route Velliangadu to 15 Velampalayam on which the 2nd respondent has to operate her two mini buses TN 43 B 8776 and TN 57 N 0340 with the approved schedule of timings.

For Petitioner : No appearance

For R1 : Mr.M.D.Ilayaraja
Government Advocate

For R2 : Ms.S.Radha Gopalan

ORDER

This case was listed recently on several occasions (i.e., on 05.01.2021, 21.01.2021, 04.02.2021 and finally on 11.02.2021 (today)).

2. On 05.01.2021, 21.01.2021 and 04.02.2021, learned counsel for the petitioner appeared and took time. He has not appeared today though his name is printed in the cause list. It appears that the present writ petition has become infructuous.

3. This Writ Petition is therefore taken up for hearing and this order is passed based on the submission of the learned counsel for the 1st respondent.

4. Both the petitioner and the respondents have been filed separate writ petitions. The petitioner had earlier filed W.P.No.16336 of 2015 which came to be disposed by an order dated 10.06.2015. The 2nd respondent had also filed another writ petition W.P.No.24899 of 2015 which came to be disposed by an order dated 12.08.2015.

5. Pursuant to the orders of this Court in these two writ petitions, a personal hearing was conducted on 26.11.2015 before the Regional Transport Authority. During the interregnum, another order came to be passed by this Court in another W.P.No.20347 of 2015 on 26.11.2015 filed by the petitioner, which directed the 1st respondent to comply with the direction in W.P.No.16336 of 2015 dated 10.06.2015 after affording an opportunity of hearing to both the petitioner and the 2nd respondent herein.

6. Though the hearing was fixed by the 1st respondent on 26.11.2015 and thereafter on 12.01.2016, there was no representation from one of the party of each of these dates. On 26.11.2015, the petitioner appeared and took time. On 12.01.2016, the 2nd respondent appeared and took time. Thereafter, the 1st respondent issued summons to the petitioner and the 2nd respondent, and asked both the parties appear on 22.01.2016. On the said date, both the petitioner and the 2nd respondent appeared through their counsel. However, the case was adjourned at the request of the 2nd respondent.

7. The learned counsel for the 1st respondent submits that the timing has been fixed for both the vehicles of the 2nd respondent. He has filed a copy of route permit dated 06.03.2016 for TN 57 N 0340 mini bus of the 2nd respondent and a copy of route permit dated 26.03.2019 for TN 39 AF 6358 bus of the 2nd respondent. The first route permit dated 06.03.2016 was valid up to 26.03.2018. The second route permit dated 26.03.2019 is valid up to 1st April 2024.

8. Therefore, nothing survives for adjudication in this writ petition in the light of the above permission granted to the 2nd respondent to operate the mini buses in the respective route permits. Therefore, this Writ Petition is dismissed as infructuous. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The Regional Transport Authority,
Tirupur Region - North,
Collectorate,
Tirupur - 641 605.

+1cc to the Government Pleader SR.8045

W.P. No. 7979 of 2016

and

W.M.P. No. 7105 of 2016

MG (CO)
CB(19/03/2021)



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