



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2021

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.34267 of 2018

P.Samiappa Gounder

...Petitioner

Versus

1. The Tamil Nadu State Information
Commission,
No.2, Thyagaraya Salai,
Teynampet, Chennai 600 018.

2. The State Transport Authority,
Ezhilagam, Chepauk
Chennai - 600 005.

3. Tamil Nadu State Transport Corporation
(CBE Dn) Ltd., Mettupalayam Road,
Coimbatore 641 043, Rep. by its
Managing Director.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the first respondent to consider the letter dated 19.10.2017 of the petitioner with reference to order of the first respondent dated 20.09.2017 in SA.No.13601/F.2016.

For Petitioner : Mr.T.Padmanabhan

For R1 : Mr.Niranjana Rajagopalan
M/s.G.R.Associates

For R2 : Mr.M.Shahjahan
Special Government Pleader

For R3 : No Appearance



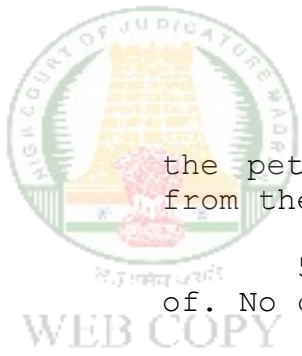
ORDER

This Writ Petition has been filed, for the issuance of Writ of Mandamus, directing the first respondent to consider the letter dated 19.10.2017 of the petitioner with reference to order of the first respondent dated 20.09.2017 in SA.No.13601/F.2016.

2.The grievance of the petitioner is that, the petitioner is the stage carriage operator, operating buses on Tirupur - Kangayam - Chennimalai - Perunduraion - Erode routes. The third respondent has been operating buses among other routes on Tirupur - Kangayam - Chennimalai - Perundurai - Erode, without a valid permit and approval of timing affecting the petitioner's interest. Therefore, the petitioner wanted to know whether there was any permit issued to the third respondent to operate the bus on the Route viz., on Tirupur - Kangayam - Chennimalai - Perundurai - Erode and he filed a petition on 17.08.2016 under Section 6(1) of the RTI Act, 2005 to the first respondent. Since there was no compliance on the request of the petitioner, the petitioner filed the first appeal. Even then, there was no compliance. Consequently, the petitioner preferred the second appeal. In this connection, the petitioner filed W.P.No.19818 of 2017, for a direction to the first respondent to consider the second appeal with reference to the letter dated 17.03.2017 of the petitioner. Pursuant to the order of this Court dated 02.08.2017, the first respondent considered the second appeal and passed order dated 20.09.2017, directing the third respondent to comply with the request. The third respondent sent a documents having no connection with the routes being operated by him and mislead the petitioner as well as the first respondent and failed to comply with the order of the first respondent. Hence, the present Writ Petition has been filed.

3.The learned counsel appearing for the first respondent, in reply submitted that the first respondent will consider the letter of the petitioner dated 19.10.2017 and provide the information.

4.Upon hearing the submission made by either side, this Court is of the view that, the petitioner has filed a petition, seeking for the timing of the route buses operated by the third respondent on Tirupur - Kangayam - Chennimalai - Perundurai - Erode routes. Certainly, the petitioner is entitled for all those information since he is also operating the bus on the same route. Providing all those information to the petitioner will no way affect interest of the third respondent. Therefore, I do not find any impediment for the respondents in providing the timings of the buses operated in the said routes. Hence, the first respondent is directed to dispose of the representation of



the petitioner dated 19.10.2017 within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

1. The Tamil Nadu State Information Commission,
No.2, Thyagaraya Salai,
Teynampet, Chennai 600 018.
2. The State Transport Authority,
Ezhilagam, Chepauk
Chennai - 600 005.
3. The Managing Director,
Tamil Nadu State Transport Corporation
(CBE Dn) Ltd., Mettupalayam Road,
Coimbatore 641 043,

+1cc to the Government Pleader, High Court, S.R.No.68332

W.P.No.34267 of 2018

EV(CO)
RGA(07/01/2022)