



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD)No.4979 of 2020

and

W.M.P. (MD)No.4358 of 2020

WEB COPY

K.Savithiri

... Petitioner

Vs.

- 1.The District Collector,
Trichirappalli,
Trichirappalli District.
- 2.The Regional Transport Officer,
Srirangam,
Trichy District.
- 3.The Regional Transport Officer,
Kulithalai,
Karur District.
- 4.The Motor Vehicle Inspector Grade-I,
Unit Office (UO), Musiri,
Trichy District.
- 5.The Inspector of Police (Traffic Wing),
Kulithalai, Kulithalai Town,
Karur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 to 4 to permit the petitioner to operate the petitioner's mini bus bearing registration No.TN 45 N 0344 on the route from Kulithalai Sunga Gate to Kulithalai Periyapalayam Via Trichy-Karur Main Road-Kadambar Kovil-Kulithalai Bus Stand.

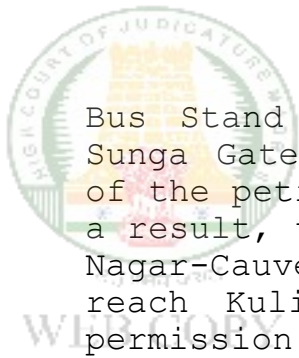
For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.M.Rajarajan,
Additional Government Pleader

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

2.The petitioner was granted permit to ply his mini bus bearing registration No.TN 45 N 0344. The permitted route was from Musiri



Bus Stand to Kulithalai Periyapalayam Bus Stand via., Kulithalai Sunga Gate-Kadambar Kovil-Kulithalai Bus Stand. The specific case of the petitioner is that some third party filed a civil suit and as a result, the petitioner is unable to operate the mini bus from Anna Nagar-Cauvery Nagar-DSP Office via, Kulithalai Railway Station to reach Kulithalai Periyapalayam. The petitioner therefore seeks permission to ply on deviated route.

3.To be fair to the respondents, they have admitted that the petitioner is being prevented from operating on the permitted route on account of the decree passed by the Civil Court. Therefore, the petitioner has to be necessarily permitted to operate on a deviated route. Of course, Regional Transport Officer, Srirangam has placed the route sketch before this Court and points out that if the deviated route as claimed by the petitioner is permitted, it would overlap on the served sector to the extent of 5.7 Kms. It is well settled that overlapping cannot be permitted beyond 4 Kms. Therefore, taking note of the difficulties experienced by both the parties, I direct respondents to permit the petitioner to ply his mini bus on the deviated route and at the same time by ensuring that the overlapping on served sector does not exceed the ceiling limit of 4 Kms.

4.The writ petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

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 District Collector,
Trichirappalli,
Trichirappalli District.



2.The Regional Transport Officer,
Srirangam,
Trichy District.

3.The Regional Transport Officer,
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Karur District.

4.The Motor Vehicle Inspector Grade-I,
Unit Office (UO), Musiri,
Trichy District.

5.The Inspector of Police (Traffic Wing),
Kulithalai, Kulithalai Town,
Karur District.

+1 CC to Mr.N.SUDHAGAR NAGARAJ, Advocate (SR-4478[F] dated
11/02/2021)

+1 CC to SPL GP (SR-4666[F] dated 12/02/2021)

**W.P(MD)No.4979 of 2020
10.02.2021**

VB (23.02.2021) 3P 8C