



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2021

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.9204 of 2021 and

WMP(MD) No.6936 of 2021

N.Rengarajan

... Petitioner

Vs.

1.The Regional Transport Authority,
Office of the Regional Transport Authority,
Collectorate Building,
Thanjavur,
Thanjavur District.

2.The Regional Transport Officer,
Opp to Collectorate Building,
Thanjavur,
Thanjavur District.

3.The Inspector of Police,
Thirukkattuppalli Police Station,
Thirukkattuppalli,
Thanjavur District.

4.V.Mohana Sundaram

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 1st and 2nd respondents to take appropriate action against the 4th respondent's Mini Bus bearing Registration No.TN 49-CA 6963, violating the permit condition plying on the route Linekarai, Michalpatti Cross and Michalpatti Church as per Section 86(b) of the Central Motor Vehicle Act, 1988.

For Petitioner

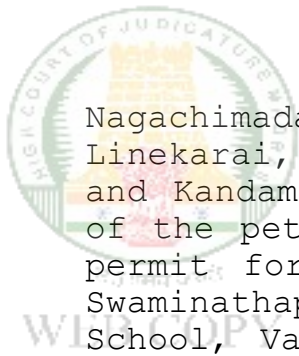
: A.C.Asaithambi

O R D E R

This Writ Petition has been filed by the petitioner seeking issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take appropriate action against the fourth respondent's Mini Bus bearing Registration No.TN 49-CA 6963 for violating the permit condition by plying on the route Linekarai, Michalpatti Cross and Michalpatti Church.

2.Heard the learned counsel for the petitioner.

3. The case of the petitioner is that he is a mini bus operator in Thanjavur District pertaining to route Poondi Madha Thirumana Mandapam to Kandamangalam Middle School (Via)



Nagachimadam, Vishnupettai, Thirukkattuppalli Police Station, Linekarai, Michelpetti, Police Station, Linekarai Michalpatti Church and Kandamangalam Pirivu with valid permit. It is the further case of the petitioner that the fourth respondent has been granted with permit for the route Thirukkattuppalli Bus Stand to Allur (Via) Swaminathapuram, Velankudi Cross, Kandamangalam, Government Middle School, Varagur, Aalamaram, Pillayar Kovil, Allur Cross and Allur Water Tank. The grievance of the petitioner is that instead of operating the mini bus in the permitted route, the fourth respondent is operating his mini bus in the route, which was allotted to the petitioner, which leads to monetary loss to the petitioner. Hence, the petitioner has given representation to the first respondent on 23.03.2021 to take appropriate action against the fourth respondent. Since no action was taken, the petitioner is before this Court with the present Writ Petition.

4. The learned counsel for the petitioner would state that it would be suffice, if a direction is issued to the respondents, to consider the representation of the petitioner.

5. Since no adverse order is going to be passed against the respondents, notice to them is dispensed with.

6. Considering the submissions of the learned counsel for the petitioner and also considering the facts and circumstances of the case, without going into the merits of the case projected by the petitioner either in his representation or in this Writ Petition, the respondents are directed to consider the representation of the petitioner dated 23.03.2021 on merits and in accordance with law by giving opportunity to the fifth respondent and take appropriate action, within a period of twelve weeks from the date of receipt of a copy of this order

7. With the above direction, the Writ Petition is disposed of.No Costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

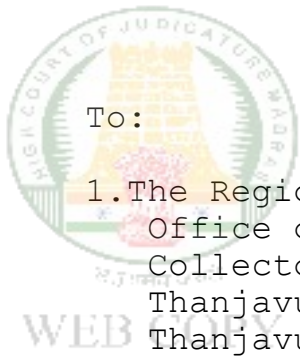
Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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.



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+1 CC to M/s.SPL GP (SR-18836[F] dated 04/06/2021)

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KB(25.06.2021) 3P 5C