



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2021

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.16239 of 2021

Kanagaraj

... Petitioner

-Vs-

1.The Transport Commissioner,
Transport Department,
Chepauk, Chennai.

2.The Regional Transport Authority,
Dindigul District,
Dindigul.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant permission for shifting of terminus by operating of the petitioner's mini bus bearing Registration No.TN 57 X 3400 route from Ponnapuram to Palani Bus Stand and to operate, based on the petitioner's representation dated 25.11.2020.

For Petitioner : Mr.S.Sadeskumar

For Respondents : Mr.D.Ghandiraj
Government Advocate

ORDER

The prayer sought for herein is for a Writ of Mandamus, directing the respondents to grant permission for shifting of terminus by operating of the petitioner's mini bus bearing Registration No.TN 57 X 3400 route from Ponnapuram to Palani Bus Stand and to operate, based on the petitioner's representation dated 25.11.2020.

2.The case of the petitioner is that the petitioner is the owner of the Mini bus for the route between Palani Bus stand and Ponnapuram. In that route, the petitioner is plying the Mini Bus, bearing Registration No. TN 57 X 3400.



3. In this regard, this is to be noted that some time back, in order to do the repair work in the Palani bus stand, according to the petitioner, the petitioner was directed by the respondents to temporarily operate the bus from the Government Hospital instead of Palani Bus stand. However, the said procedure still continues, even though, the bus stand has been made ready for operation. In this regard, it is a further case of the petitioner that the bus is not permitted to go near to or enter inside the bus stand, despite the permission given earlier.

4. Therefore, in order to seek such a direction to permit the petitioner to ply the bus from the bus stand, he has given a representation on 25.11.2020, to the respondents and the said request, since has not been considered, he has approached this court by way of this Writ Petition.

5. I have heard, Mr.S.Sadeskumar, learned counsel appearing for the petitioner, who, having reiterated the aforesaid, seeks indulgence of this court and to issue a direction to the second respondent to consider the petitioner's representation dated 25.11.2020 on merits and in accordance with law, within the time frame to be stipulated by this Court.

6. I have heard Mr.D.Ghandiraj, learned Government Advocate appearing for the respondents, who would submit that, if at all, any mini bus permit is given as per the existing route, normally the mini bus would not be permitted to enter into the bus stand, which is located in the municipality limit. Anyhow, since the prayer has been made by the petitioner, where he has stated that permission or permit has been granted to run the mini bus from the Palani Bus stand to Ponnapuram earlier, the same would be considered and as per the rule in vogue, a decision would be taken and communicated to the petitioner within the time frame to be stipulated by this Court, he contended.

7. Having regard to the said submissions made by the learned counsel appearing for the parties and having considered the documents filed before this court and taking into account the innocuous nature of the prayer sought for herein, this court is inclined to dispose of this writ petition with the following direction:

"that there shall be direction to the second respondent to consider the representation of the petitioner dated 25.11.2020 and decide the same on merits and in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of the order. It is made clear that the petitioner along



with a copy of this order shall forward a copy of the representation dated 25.11.2020 to the second respondent, who on receipt of the same shall do the needful as indicated above".

WEB COPY

8. With these directions, this writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

PNM/MR

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 Transport Commissioner,
Transport Department,
Chepauk, Chennai.
2. The Regional Transport Authority,
Dindigul District,
Dindigul.

+1 CC to M/s.SPL GP (SR-28822[F] dated 13/09/2021)

W.P. (MD) No.16239 of 2021

Dated:

09.09.2021

RK (22/10/2021) 3P 4C