



WEB COPY

W.P.(MD)No.18137 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.18137 of 2019

and

W.M.P. (MD)No.14590 of 2019

S.Prasannan

... Petitioner

-Vs-

- 1.The District Collector cum
Regional Transport Authority,
Trichy,
Trichy District.
 - 2.The Regional Transport Officer,
Regional Transport Office,
Trichy East, Tiruchirappalli.
 - 3.The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Kumbakonam,
Thanjavur District.
 - 4.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Trichy.
 - 5.The Divisional Manager,
Tamil Nadu State Transport Corporation Ltd.,
DM City,
Trichy District.
 - 6.The Branch Manager,
Tamil Nadu State Transport Corporation Ltd.,
Thuvakudi Branch,
Trichy District.
- ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents 3 to 6 and their men or agent or their officials from interfering or creating any trouble the operation of the petitioner's stage carriage bearing Registration No.TN 69 E 7575 plying on the route Thiruverumbur Bus Stand and Thuvakudi Bus Stop.

For Petitioner

: M.A.C.Asaithami

For R1 to R2

: Mr.M.Rajarajan

Additional Government Pleader



ORDER

Heard the learned counsel on either side.

2.The petitioner Thiru.S.Prasannan is a mini bus operator. He has been issued permit to ply from Thiruverumbur, Shanthi Theatre to Asoor Annai Indra Ninaivu Kudiyiruppu. The petitioner claims that he is encountering difficulties enroute and therefore, he was obliged to deviate.

3.The allegation of the petitioner is that he is facing interference at the hands of TNSTC officials and that is why, he has filed this writ of mandamus for forbearing the respondents from doing so.

4.I am not in a position to accede to the petitioner's request. This is because, as rightly contended by the learned Standing Counsel for TNSTC, the petitioner has to adhere to the permitted route or apply for variation. Without obtaining variation, the petitioner cannot be permitted to ply on the deviated route. Only if the petitioner is able to obtain any variation order from the competent authority, he can be permitted to deviate or extend his operation. Without obtaining an appropriate order from the competent authority, the petitioner cannot on his own indulge in deviation or extension of his operation. I am not inclined to grant relief. Liberty is however given to the petitioner to move the authority concerned. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed. The dismissal of this writ petition will not come in the way of the petitioner from approaching the authority.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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 cum
Regional Transport Authority,
Trichy,
Trichy District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Regional Transport Officer,
Regional Transport Office,
Trichy East, Tiruchirappalli.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-6375[F] dated 22/02/2021)

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W.P. (MD) No.18137 of 2019
19/02/2021

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NA (CO)
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