



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2021

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 21941 of 2019

WEB COPY

R. Baranidaran,
S/o. Rajaboopathy,
Proprietor,
M/s. Sri Palani Murugan Bus Transport,
No. 11, Mc Donalds Road,
Cantonment, Trichy District.

... Petitioner

Vs.

The Regional Transport Authority
(cum) District Collector,
O/o. District Collector,
Dindigul.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent herein to transfer the permit bearing number 37/SC/DGL/2018 for the vehicle TN 59 BW 4145 in favour of the petitioner as prayed for in his joint application dated 19.08.2019.

For Petitioner	: Mr. Chamundi Bose
For Respondents	: Mr. M. Rajarajan, Additional Government Pleader.

* * *

O R D E R

Heard the learned counsel on either side.

2. This writ petition has been filed for directing the respondent to transfer the petition mentioned permit in his favour. According to the petitioner, one Sonaimani was the earlier permit holder and that the petitioner is the transferee. Since the petitioner's application has not been disposed of, this writ petition came to be filed.

3. When the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondent brought to my notice that the respondent had already passed the order dated 05.11.2019 in proceedings R.No.37428/A3/2019 dated 05.11.2019.

4. Therefore, nothing survives for further adjudication in this writ petition. It is for the petitioner to question the

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rejection order in the manner known to law.

5. I must also observe that between Sonaimani and Minor Selvan M.Athipathi, there has been a contest. Therefore, the petitioner who is the purchaser from Sonaimani ought to have impleaded the rival party. Filing of the writ petition without impleading the rival party cannot be appreciated.

6. This writ petition stands dismissed. I make it clear that the writ petition is dismissed only on the ground that it has become infructuous in view of the subsequent developments. The petitioner's rights have not been gone into and this order will not cast any cloud on the petitioner's rights which are otherwise available to him. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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:

The Regional Transport Authority
(cum) District Collector,
O/o.District Collector,
Dindigul.

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AC (CO)

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