



W.A.No.2269 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.A.No.2269 of 2022

G.Somasundara Mudaliar

.. Appellant

vs

1.The Regional Transport Authority/
District Collector,
Collectorate,
Nagapattinam.

2.The Regional Transport Officer,
Regional Transport Office,
Collectorate Master Plan Complex,
South Palpanaicherry,
Nagapattinam & District.

3.The Transport Commissioner,
Transport Department,
Govt. of Tamil Nadu,
Ezhilagam, Chepauk,
Chennai-600 005.



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4.The Deputy Transport Commissioner,
RTO, I Floor, Vallam Road,
Pillayarpathi Post,
Thanjavur-3.

5.G.Shanmugham

6.S.Gomathi

.. Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 3.2.2022 passed in W.P.No.1378 of 2022.

For the Appellant : Mr.K.M.Subrahmaniam

For the Respondents : Mrs.R.Anitha
Spl. Government Pleader
for respondent Nos.1 to 4

: Mrs.S.Radha Gopalan
for respondent Nos.5 and 6

JUDGMENT

(Delivered by the Hon'ble Acting Chief Justice)

This writ appeal is directed against the order dated 3.2.2022 passed in W.P.No.1378 of 2022, whereby the learned Single Judge directed the appellant to await the result of the civil suit in



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O.S.No.139 of 2019 on the file of the Sub-Court, Mannargudi. The learned Single Judge also held that when the order impugned in the writ petition was passed on 3.12.2019, the appellant has filed the writ petition only in the year 2022, after a lapse of about 3 years from the date of the impugned order. On the ground of laches, the learned Single Judge dismissed the writ petition.

2. Heard learned counsel for the parties and also perused the records.

3. On a perusal of the records, we find that the appellant has approached the Writ Court during the pendency of the civil suit instituted by him in O.S.No.139 of 2019 on the file of Sub-Court, Mannargudi, the result of which will have a bearing on the writ proceedings and vice versa. Therefore, we do not find any valid ground to cause interference in the order of the learned Single Judge.

4. The writ appeal fails and accordingly, the same is



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dismissed. There will be no order as to costs.

5. It is needless to mention that the civil Court shall consider the suit on its own merits, uninfluenced by the observation, if any, made by the learned Single Judge.

(T.R., ACJ.) (D.K.K., J.)
13.10.2022

Index : Yes/No
bbr

To:

- 1.The Regional Transport Authority/
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The Subordinate Judge,
Mannargudi.

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T.RAJA, ACJ.
AND
D.KRISHNAKUMAR,J.

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