



W.P.No.17432 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2022

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.17432 of 2022

and

W.M.P.No.16739 of 2022

P.A.Viswanath

... Petitioner

Vs

1.The Regional Transport Authority,
Hosur, Krishnagiri District.

2.The Divisional Manager,
Tamil Nadu State Transport Corporation
(Salem) Limited,
Dharmapuri.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the second respondent from interfering with the operation of petitioner's Mini Bus bearing Registration No.TN-24/Y-2710, while entering Hosur Bus Stand for picking up and setting down of passengers by stationing the vehicle, forthwith.



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For Petitioner : Mr.K.Hariharan

For Respondents : Mr.M.Shahjahan
Special Government Pleader

ORDER

Mr.M.Shahjahan, learned Special Government Pleader takes notice on behalf of the respondents.

2. After hearing the learned counsel for the petitioner and the learned Special Government Pleader for the respondents, I am inclined to dispose this writ petition by restraining the second respondent from interfering with the operation of petitioner's Mini bus bearing Reg.No.TN-24/Y-2710 entering the Bus Stand in Hosur for picking up and setting down of passengers by stationing the vehicle in the light of the law laid down by the Hon'ble Division Bench of this Court in W.A.No.2657 of 2004 dated 31.03.2005. The Hon'ble Division Bench of this Court has passed the following order, which reads as under:-

“2. While we are of the opinion that certain of the observations made in the impugned order dated 21-6-2004 were unnecessary and uncalled for, we are also of the opinion that the Tamil Nadu State Transport Corporation and its' officials have no right to interfere.



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with the plying of the mini buses by the transport operators like the first respondent. If the appellant or its officials are of the view that mini buses are being plied illegally, they can certainly make complaints about this to the authorities concerned and it is for the authorities concerned to take necessary action in accordance with law, but the appellant or its officials cannot take the law into their own hands and interfere with the plying of the mini buses by the persons like the first respondent. Learned Counsel for the appellant has submitted that in fact, the appellant or any of its officials are not interfering with the plying of the mini buses by the operators like the first respondent. Without expressing any opinion on this factual controversy, we are disposing of this writ appeal by only laying down the law. The writ appeal is disposed off. Connected WAMP No.4917 of 2004 is closed.

3. The petitioner has also filed W.P.No.10256 of 2015 which is said to be pending and had obtained interim stay from this Court on 27.04.2015. The order has not been disturbed till date. It has also not been subjected to any writ appeal.

4. Considering the above, the respondents shall strictly comply with the order of the Hon'ble Division Bench of this Court in W.A.No.2657 of 2004 and also the decision of this Court in petitioner's own case in W.P.No.10256 of 2015.



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C.SARAVANAN, J.

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5. This Writ Petition stands allowed in terms of the above observations. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

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Index : Yes/ No
Internet : Yes/No
Speaking/Non-Speaking Order

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To

- 1.The Regional Transport Authority,
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