

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2022

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.NOS.16093 & 16095 OF 2020

V.Baby

... Petitioner in
W.P.No.16093 of 2020

K.Vasudevan

... Petitioner in
W.P.No.16095 of 2020

.Vs.

1. The District Collector,
Tiruvannamalai - 606 604,
Tiruvannamalai District.
2. The Regional Transport Officer,
Regional Transport Authority,
Tiruvannamalai - 606 604,
Tiruvannamalai District.
3. The General Manager,
The Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Zonal Office, Vengikal,
Tiruvannamalai.

... Respondents in
both W.P's

PRAYER:-

Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to forbear the third respondent and his subordinates from any manner disturbing the operations of the petitioners' Mini Bus bearing registration No.TN 25 F 7202 and TCB 8523 respectively at the Tiruvannamalai Medical College Hospital Bus Stop.

For Petitioner : Mr.K.Dhananjayan
in both W.P's.

For R1 & R2 : Mr.B.Tamilnidhi
in both W.Ps. Additional Government Pleader

For R3 : Mr.M.Aswin
in both W.P's. Standing Counsel

C O M M O N O R D E R

The respective petitioners have filed these Writ Petitions for issuance of a Writ of Mandamus, to direct the third respondent to consider the representations of the respective petitioners both dated 12.10.2020 and to forbear the third respondent and his subordinates from any manner disturbing the operations of Mini Bus of them bearing registration No.TN 25 F 7202 and TCB 8523 respectively at the Tiruvannamalai Medical College Hospital Bus Stop.

2. The case of the petitioners appears to be that two villages namely, Venkigal and Durgai Nammiyandhal where the Government Medical College is situated, fall in the route permit granted to the respective petitioners and therefore, the respective petitioners are entitled to stop their Mini Bus in front of Government Medical College for convenience of the passengers. It is submitted that despite the fact that the Government Medical College fall in the route permit granted by the Transport Department, the third respondent has objected to stop the Mini Bus. It is further submitted that therefore, the respective petitioners sent representation to the respondents herein which has not evoked any response.

3. Opposing the prayer in these Writ Petitions, the learned counsel for the respondents submits that permits in respect of the Mini Buses of the petitioners are dated 04.09.2020 and that prior to 04.09.2020, separate orders both dated 08.02.2018 bearing reference Pro.R.No.2572/A1/2018 and Pro.R.No.3269/A1/2018 respectively, have been passed by the second respondent Regional Transport Authority on the representation of the respective petitioners both dated 09.01.2018 rejecting the requests of the petitioners for permitting them to stop their Mini Buses in front of the Government Medical College and that there is no merits in these Writ Petitions.

4. The learned counsel for the petitioners submits that he has no instructions about the earlier orders dated 08.02.2018.

5. I have considered the arguments advanced by the learned counsel for the petitioners and the learned Additional Government Pleader appearing for the first and second respondents and the learned Standing Counsel appearing for the third respondent.

6. The request of the respective petitioners to direct the third respondent to consider their representation dated 12.10.2020 cannot be countenanced in the light of the above mentioned orders dated 08.02.2018 of the second respondent Regional Transport Authority, whereby, the request of the respective petitioners have been rejected. Therefore, there is no merits in these Writ Petitions and these Writ Petitions are liable to be dismissed.

7. While dismissing these Writ Petitions, liberty is given to both the petitioners to workout their remedy against the orders dated 08.02.2018 in accordance with law under the provisions of the Motor Vehicles Act, 1988 read with relevant Rules and Regulations.

8. Both Writ Petitions stand dismissed. No cost.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Tiruvannamalai - 606 604,
Tiruvannamalai District.
2. The Regional Transport Officer,
Regional Transport Authority,
Tiruvannamalai - 606 604,
Tiruvannamalai District.
3. The General Manager,
The Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Zonal Office, Vengikal,
Tiruvannamalai.

+2ccs to Mr.M.Aswin, Advocate, S.R.Nos.39767 & 39768
+1cc to the State Government Pleader, S.R.No.40101

W.P.Nos.16093 & 16095 of 2020

SR-II(CO)
PBS/13/07/2022