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C.M.P.No.18005 of 2022
in W.A.No.SR94734 of 2022

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THE HON'BLE ACTING CHIEF JUSTICE
AND
D.KRISHNAKUMAR,J.

(Order of the court was made by the Hon'ble Acting Chief Justice)

This miscellaneous petition has been filed seeking leave to file writ appeal against the order dated 1.8.2022 passed by the learned Single Judge in W.P.No.30386 of 2008.

2. According to the petitioner, he is a stage carriage operator, operating a stage carriage service on the route Coimbatore to Vellakovil and he is protected under the Area Approved Scheme in respect of the revenue district of Coimbatore, dated 17.11.1999 and the Tamil Nadu Motor Vehicles (Special Provisions) Act, 1992.

3. Learned counsel for the petitioner submitted that in a writ petition No.30386 of 2008, filed by the first respondent herein, the learned Single Judge, by order dated 1.8.2022, held that there is no



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scheme that governs the distance factor for the purpose of running a mini bus and further observed that as and when any scheme is introduced/notified by the respondents, it will be left open to the respondents to deal with the renewal of the permit in line with the new scheme. The said view, it is submitted, runs counter to the view expressed by another learned Single Judge by order dated 21.4.2021 passed in W.P. (MD) No.11358 of 2020.

4. Inasmuch as the petitioner is an existing stage carriage operator and impugned order passed by the learned Single Judge adversely affects the interest of the petitioner, we are prima facie satisfied that the petitioner has made out a case for filing the appeal.

Accordingly, this petition is allowed by granting leave to the petitioner to file the appeal. Let the writ appeal be numbered and listed next week, if it is otherwise in order.

(T.R., A.C.J.) (D.K.K., J.)
1.11.2022

sasi



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