



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2022

CORAM :

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.No.31525 of 2019

T.R.Mahalingam

...Petitioner

Vs.

1.Regional Transport Officer
Regional Transport Office (South)
No.100, Peelamedu Post
Coimbatore - 641 004.

2.V.Vijay Krithika

...Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 1st respondent to complete the enquiry and pass orders in R.No.43835/A3/2019, dated 19.08.2019, which is pending in his office, within the time limit fixed by this Court.

For Petitioner : Mr.G.Ponnambalathiyagarajan

For R1 : Mr.S.Ravikumar
Special Government Pleader

O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus directing the 1st respondent to complete the enquiry and pass orders in R.No.43835/A3/2019, dated 19.08.2019, which is pending in his office, within the time limit fixed by this Court.

2.Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the 1st respondent.

3.According to the petitioner, he is a permit holder operating bus in the sector route from Gandhipuram to Kannampalayam in Route No.65. The 2nd respondent was given permit to operate mini bus service in non-sector route from Ondipudur to Ravathur. Contrary to said permit, the 2nd respondent is operating mini bus in the sector route for which, permit was given to the petitioner and other operators including State



Transport Corporation. The petitioner preferred an appeal to the 1st respondent on 28.08.2018. The Regional Transport Authority by the order dated 18.05.2019 directed the 2nd respondent not to operate mini bus in the sector route violating the conditions and held that if there is any violation, serious action will be taken against the 2nd respondent. Even after the said order, the 2nd respondent is operating mini bus in the sector route. The petitioner gave a representation dated 19.08.2018 to the 1st respondent. The 1st respondent called for enquiry on 27.08.2019 and on that date, the petitioner and 2nd respondent appeared for enquiry and 2nd respondent sought time to get assistance from her Advocate at Chennai. The enquiry was adjourned without fixing any date. Subsequently, no enquiry was conducted by the 1st respondent in spite of further representation of the petitioner dated 11.10.2019. Hence, the petitioner has come out with the present Writ Petition seeking the relief as stated above.

4.The grievance of the petitioner is that enquiry is not conducted based on his representation, even after the enquiry date was fixed as 27.08.2019 by the 1st respondent. The limited relief now sought for by the petitioner in the writ petition is, to direct the 1st respondent to complete the enquiry and pass orders within the time limit fixed by this Court.

5.Considering the limited relief sought for by the petitioner, the 1st respondent is directed to conduct enquiry after giving notice to the petitioner as well as 2nd respondent and pass orders on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

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To

The Regional Transport Officer
Regional Transport Office (South)
No.100, Peelamedu Post
Coimbatore - 641 004.

+1cc to the Government Pleader Sr.No.9564

W.P.No.31525 of 2019

AK-II(CO)

RVM(03/03/2022)