



W.P. (MD) No.11233 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2022

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. (MD) No. 11233 of 2021

A.Pradeepa

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Regional Transport Officer,
O/o. Regional Transport Office,
Tirunelveli.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order of the 2nd respondent passed in his proceedings Se.Mu.Aa.no. 03750/A2/2021 dated 17.05.2021 and quash the same as illegal and consequently directing the respondents to permit the petitioner to take his Mini buses bearing registration Nos.TN-31-N-0086, TN-72-N-0154 and TN-47-A-1177 from Palayamkottai Market to Vannarpet for making “U” turn to enable them for next trip from Palayamkottai Market to Sudharshan Nagar (Ariyakulam) and



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Palayamkottai Market to Fathima Kovil respectively.

For Petitioner : Mr. T.Lenin Kumar
For Respondents : Mr. D.Gandhiraj
Special Government Pleader

ORDER

Heard Mr. T.Lenin Kumar, Learned Counsel for the Petitioner and Mr. D.Gandhiraj, Learned Special Government Pleader appearing for the Respondents.

2. When it was pointed out that the Petitioner has got an effective alternative remedy to challenge the Order in Se.Mu.Aa.no.03750/A2/2021 dated 17.05.2021 passed by the Second Respondent, which is impugned in this Writ Petition, by filing appeal under Section 89 of the Motor Vehicles Act, 1988, before the State Transport Appellate Tribunal, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition with liberty to resort to the aforesaid procedure and he has made an endorsement to that effect in the court record.



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In view of the same, the Writ Petition is dismissed as withdrawn, granting such liberty. It is made clear that for the purpose of reckoning limitation for availing the aforesaid remedy, the period from the date of filing of the Writ Petition, viz., 05.07.2021, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. No costs.

14.12.2022

Index : Yes/No

Internet : Yes /No

sj

Note: (i) Issue order copy by 26.12.2022

(ii) Registry is directed to return the impugned order under written acknowledgment after retaining a copy of the same for record.

To

- 1.The District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The Regional Transport Officer,
Tirunelveli.



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P.D. AUDIKESAVALU, J.

sj

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