



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED 29.09.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.22951 of 2022

P.Kommbaiah

..Petitioner

Vs

1.The Director,
Information and Public Relations Department,
Secretariat,
Chennai 600 009.

2.The District Collector,
Office of the District Collector,
Tenkasi District,
Tenkasi.

3.The Special Sub Collector (GDP),
District Collector Office,
Tenkasi District.

4.The Information and Public Relation Officer,
Tenkasi District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent's impugned communication in No. 275/Sae.Ma.Tho.A/2022 dated 19.09.2022 and consequential the 3rd respondent's reply letter dated 20.09.2022 and quash the same as devoid of merits consequently directing the 4th respondent to give necessary recommendation to issue free bus pass to the petitioner by the 2nd respondent



Under the Category of Reporters for the year 2022 in continuation of his previous years bus passes by considering the representation dated 30.07.2022 and for other such reliefs, within the period stipulated by this Court.

For Petitioner :Mr.A.Haja Mohideen

For Respondents :Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

Seeking issuance of Writ of Certiorarified Mandamus to quash the impugned communication of the 2nd respondent in No.275/Sae.Ma.Tho.A/2022 dated 19.09.2022 and the reply letter of the 3rd respondent dated 20.09.2022 and to direct the 4th respondent to give necessary recommendation to issue free bus pass to the petitioner by the 2nd respondent under the category of Reporters for the year 2022, the present Writ Petition has been filed.

2.Mr.D.Sadiq Raja, learned Additional Government Pleader takes notice for the respondents. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The learned counsel for the petitioner would submit that in 2012, the petitioner, who was working as District Reporter at Makkalin Uurimai Kural, Tenkasi, got free bus pass to travel all the towns for free journey from the



31.12.2021, for which he has sent legal notice dated 07.07.2022 to the respondents requesting them to give free bus pass for the year 2022. However, there is no action. Hence, the petitioner has filed W.P.(MD) No.18706 of 2022 before this Court seeking direction to the 3rd respondent therein to give necessary recommendation to issue free bus pass to the petitioner under the category of Reporters for the year 2022 and this Court, vide order dated 18.08.2022, disposed of the aforesaid writ petition with the following directions:-

“3.The third respondent will dispose of the petitioner's request on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.”

4.In compliance of the aforesaid order, dated 18.08.2022, the 2nd respondent had issued the impugned communication dated 19.09.2022 rejecting the request of the petitioner regarding free bus pass and the 3rd respondent had also, by way of reply letter dated 20.09.2022, rejected the petitioner's request stating that the free bus pass may be given to the petitioner in the next year, since the news paper had not been received regularly now. Challenging both the impugned communication and the reply letter dated 20.09.2022, the present Writ Petition had been filed.



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5. The learned Additional Government Pleader appearing for the respondents would submit that if the petitioner gives fresh application to the respondents along with all necessary documents, the same would be considered on merits and in accordance with law, within the reasonable time that may be fixed by this Court.

6. Admittedly, the earlier writ petition that has been filed by the petitioner in W.P.(MD) No.18706 of 2022 came to be disposed of with a direction to the 3rd respondent therein to consider the request of the petitioner. In compliance of the same, the 3rd respondent has passed the impugned communication dated 19.09.2022 now, wherein it has been stated that the petitioner's request will be considered only at the time of applying for the next year as the news paper is not received regularly in the current year. Insofar as the present year ie., 2022 is concerned, they are unable to issue free bus pass on the above ground. The reason that has been stated by the 3rd respondent is found to be reasonable and accordingly, at this stage, the relief sought for by the petitioner cannot be granted.

7. In fine, the Writ Petition stands dismissed with liberty to the petitioner to apply for the free bus pass for the year 2023 before the respondents herein



along with all necessary documents. On receipt of such an application, if any,

the respondents shall consider the same and pass appropriate orders on merits

and in accordance with law, as expeditiously as possible. No costs.

Index : Yes/No
Internet : Yes/No
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V.BHAVANI SUBBAROYAN,J

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ORDER MADE IN
W.P(MD)No.22951 of 2022