



W.P.(MD)No.24102 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :22.11.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

**W.P.(MD).No.24102 of 2022
and
W.M.P(MD).No.18216 of 2022**

R.Karthickraja

... Petitioner

Vs.

**1.The Tamil Nadu State Transport Corporation Limited,
Rep.by its Managing Director,
Kumbakonam.**

**2.The Tamil Nadu State Transport Corporation,
Rep.by its General Manager,
Kumbakonam Limited,
Karur Region, Karur.**

**3.The Tamil Nadu State Transport Corporation,
Rep.by its General Manager,
Kumbakonam Limited,
Trichy Region, Trichy.**

**4.The Regional Transport Officer,
Collectorate Office,
Karur.**

**5.The Regional Transport Officer,
Pirattiyur,
Trichy (West), Trichy.**



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6. The Commissioner of Police,
Commissioner Office,
Trichy.

7. The Superintendent of Police,
District Police Office,
Trichy.

8. The Superintendent of Police,
District Police Office,
Karur.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus forbearing the Respondents 2 and 3 from operating the stage carriages, bearing Regn.Nos.

1. TN-45-N-3930 – plying on the route Trichy to Erode.
2. TN-45-N-4276 - plying on the route Rameshwaram to Karur.
3. TN-45-N-3449 - plying on the route Trichy to Karur.
4. TN-45-N-4017 - plying on the route Trichy to Erode.
5. TN-45-N-3693 – spare bus.
6. TN-45-N-3424 - plying on the route Kulithalai to Manapparai.
7. TN-63-N-1729 - plying on the route Thuraiyur to Manapparai.
8. TN-45-N-3807 - plying on the route Karur to Trichy.
9. TN-45-N-2903 - plying on the route Musiri to Mettu Maruthur.
10. TN-45-N-3817 - plying on the route Karur to Trichy.

Or any other vehicles on the route either without permit or with the permit, but contrary to the timing fixed by the Respondents 4 and 5.



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For Petitioner :Mr.M.Palani

For Respondents :Mr.K.Jagadeeshbalan[R1 to R3]
Mr.Veerakathiravan,
Additional Advocate General, assisted by
Mr.M.Ramesh, Govt.Advocate [R4 and R5]
Mr.R.M.Anbunithi
Additional Public Prosecutor [R6 to R8]

ORDER

The writ petition has been filed praying for a writ of Mandamus to forbear the Respondents 2 and 3 from operating the stage carriages, bearing Registration Nos. 1. TN 45 N 3930 - Plying on the route Trichy to Erode, 2. TN 45 N 4276 - Plying on the route Rameshwaram to Karur, 3. TN 45 N 3449 - Plying on the route Trichy to Karur, 4. TN 45 N 4017 - Plying on the route Trichy to Erode, 5. TN 45 N 3693 - Spare Bus, 6. TN 45 N 3424 - Plying on the route Kulithalai to Manapparai, 7. TN 63 N 1729 - Plying on the route Thuraiyur to Manapparai, 8. TN 45 N 3807 - Plying on the route Karur to Trichy, 9. TN 45 N 2903 - Plying on the route Musiri to Mettu Maruthur and 10. TN-45-N-3817 - plying on the route Karur to Trichy.

2. It is submitted by the learned counsel for the Respondents that in case, the Petitioner has any grievance with regard to the timing, the same could be the



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subject matter of appeal in terms of Section 89 of the Act. It is further submitted that Petitioner cannot have a grievance inasmuch as Petitioner's departure timing was never disturbed and the respondent plied its buses / vehicles in timing allotted to it. It was submitted that if a vehicle / bus allotted a particular timing is not available, the same would be substituted with another vehicle in the same route to ensure that public is not affected. However, the timing allotted to the Petitioner would remain untouched. It was further stated that if there is any vehicle plying without permit, appropriate action would be taken.

3. Today, when the matter was heard, it was submitted by the learned Additional Advocate General as follows:-

(i)The Corporation and the Respondent would ensure that no bus would ply without appropriate permit.

(ii)The buses would ply in accordance with the Time Schedule in terms of Sections 248 and 249 of Motor Vehicles Act. In the event of any failure, consequences provided under Section 252 of the Act would be enforced strictly.

(iii)The Respondent as a Public Transport Corporation and keeping in view the larger public interest in mind would submit that they may be permitted to



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operate in the time schedule allotted to them without any limitation to a particular bus. It is submitted that the vehicles that are plied as alternate would also be permitted stage carriages under the Tamilnadu Motor Vehicle Rules.

(iv) The Respondent would ensure that the time schedule allotted to the petitioner would not in any manner be interfered with or overlapped.

(v) In public interest on special occasions, the respondent would invoke Section 87 read with 101 of Motor Vehicles Act.

4. To the above submission, it was submitted by the learned counsel for the petitioner that the Corporation must ensure that the timings allotted to the petitioner is not disturbed by overlap of any other vehicle timings, if so they may not have any grievances.

5. The submissions of the learned counsel for both sides is recorded. In the event of any overlap of their timing by the respondent Corporation, it is open to the petitioner to seek redressal of their grievance in the manner known to law.



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6. The writ petition is disposed of on the above terms. No costs.

Consequently, connected miscellaneous petition is closed.

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Index : Yes / No

Speaking Order : Yes / No

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MOHAMMED SHAFFIQ, J.,

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