



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.R.P.No.1725 of 2022

and

C.M.P.No.8705 of 2022

Regional Transport Authority,
Hosur Region,
Krishnagiri District.

...Petitioner

Vs.

1.M.Anand Kumar

2.The State Transport Appellate Tribunal,
Chennai - 600 104.
(Cause title accepted vide Court order dated
12.04.2022 made in CMP.No.6290/2022 in
CRP.Sr.No.22839 of 2022)

...Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, against the judgment of the State Transport Appellate Tribunal, Chennai in M.V.Appeal No.39 of 2021 vide order dated 02.12.2021 reversing the proceedings in R.No.16440/B2/2020 dated 14.09.2021.

For Petitioner : Mr.V.Jeevagiridharan
Additional Government Pleader

For Respondents : Mr.S.Sarathkumar for R1
R2-Tribunal

**ORDER**

Challenge in this revision is to the order of the State Transport

Appellate Tribunal dated 02.12.2021 made in Motor Vehicle Appeal No.39 of 2021.

2.Challenge in the appeal was to the order of the Regional Transport Authority, Krishnagiri, Hosur Region, rejecting the application of the petitioner for grant of Mini Bus permit on the ground that 1999 scheme has been superseded by 2011 scheme. The conclusion of the Authority to that effect was based on the judgment of this Court in W.P.No.7072 of 2020 dated 09.07.2020. The State Transport Appellate Tribunal however, allowed the appeal and remitted the matter for fresh consideration in accordance with the scheme available on the date of the application namely, 06.01.2006. Aggrieved by this direction, the Regional Transport Authority had filed this revision.

3.Pending this revision, the question as to the applicability of the scheme was considered by a Division Bench of this Court in Writ Appeal No.222 of 2017, to which I was a party, wherein, after considering the judgment of the Single Judge made in W.P.No.7072 of 2020 and other



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judgments of this Court, it was concluded that once 2011 scheme is struck down, the 1999 scheme will automatically stand revived. The scheme that is operation as of today is 1999 scheme. The petitioner having applied under the 1999 scheme is entitled to have the application considered, in view of the judgment pronounced by the Division Bench the only objection raised in the Revision Petition stands effaced.

4.This Civil Revision Petition therefore, fails and it is accordingly, **dismissed**. The Authority will do well and pass orders on the application of the petitioner seeking Mini Bus permit within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

24.01.2024

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Internet:Yes

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Nuetral Citation :No

R.SUBRAMANIAN, J.

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The State Transport Appellate Tribunal,
Labour Court, Chennai.

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