



W.P.(MD) No.7747 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.7747 of 2024

S.Sridhar

... Petitioner

Vs.

1.The Regional Transport Authority,
Trichy District,
Trichy.

2.The Regional Transport Officer,
Srirangam,
Trichy District.

3.The Motor Vehicle Inspector Grade - I,
Unit Office,
Thuraiyur,
Trichy District.

4.P.Balakrishnan

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to take appropriate action against the fourth respondent renewal of Mini Bus permit bearing Registration No.TN-48-A-3001 plying on the route Thuraiyur Three Road Junction (Thuraiyur Municipal Nesavalur Colony - Telephone Exchange) to Puthanampatti Outer (Palkar Mani House) under Section 86 (1) (c) and (d) of the Central Motor Vehicle Act, 1988 obtaining the renewal illegal and misrepresentation and for other reliefs.



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For Petitioner	: Mr.A.C.Asaithambi
For R1 to R3	: Mr.J.K.Jayaselan Government Advocate
For R4	: Mr.V.Karthik Raja for M/s.Ajmal Associates

ORDER

The petitioner has filed this Writ Petition seeking issuance of a Writ of Mandamus, directing the first respondent to take appropriate action against the fourth respondent's renewal of Mini Bus permit bearing Registration No.TN-48-A-3001 plying on the route Thuraiyur Three Road Junction (Thuraiyur Municipal Nesavalur Colony - Telephone Exchange) to Puthanampatti Outer (Palkar Mani House) under Section 86 (1) (c) and (d) of the Motor Vehicles Act, 1988, obtaining the renewal illegal and misrepresentation and for other reliefs.

2. It is the case of the petitioner that the fourth respondent has been deviating from the permit granted to the petitioner by driving the vehicle from Palkaran Mani House to Puthanampatti via Abimangalam and has violated the permit conditions of the petitioner as also the permit granted to the fourth respondent.



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3. The learned Government Advocate for the respondents 1 to 3 submitted that pursuant to the representation received from the petitioner, after renewal of permit *i.e.*, on 23.02.2024, the Motor Vehicle Inspector Grade-I, Thuraiyur, was directed to verify the same. On verifying the Mini Bus, bearing Registration No.TN-48-A-3001, plying on the route, the Motor Vehicle Inspector Grade-I, Thuraiyur, has issued a check report dated 04.03.2024, and noticed the following irregularities:-

- "(i) Unauthorized alteration in the chasis and tyre size.*
- (ii) Plying in the unauthorized route instead of the permitted route without keeping the timings."*

4. It is further submitted that based on the check report, explanation was called for from the fourth respondent on 26.03.2024 and the fourth respondent has submitted his explanation on 02.04.2024, wherein he has admitted his mistakes and has assured that these kinds of mistakes would not happen in future. It is further submitted that the fourth respondent has also apologized to the official respondents.

5. That apart, the learned Government Advocate submitted that the issue is also now *sub judice* before the Regional Transport Authority,



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namely, the first respondent herein as to whether any further action has to be taken against the fourth respondent.

6. I have considered the arguments advanced by the learned counsel for the parties.

7. In my view, in the light of the admissions made by the fourth respondent as also the submissions of the learned Government Advocate for the respondents 1 to 3, there shall be a direction to the first respondent to permit the petitioner to make appropriate submissions in the proposed action to be taken against the fourth respondent. Independently, the first respondent is also entitled to keep a vigil as to whether the fourth respondent is seen violating the route permit and if so, to take suitable action against him.

8. This Writ Petition stands disposed of with the above observation.

No costs.

Index : Yes/ No
Neutral Citation: Yes / No
Speaking Order / Non-Speaking Order
smn2

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To

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C.SARAVANAN, J.

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