



W.P.(MD).No.23570 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.10.2024

CORAM

THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P.(MD).No.23570 of 2024

and

W.M.P.(MD).No.19954 of 2024

R.John

... Petitioner

Vs.

1.The Regional Transport Authority,
O/o. Regional Transport Authority,
Kanyakumari District,
Kanyakumari.

2.The Regional Transport Officer,
Marthandam,
Kanyakumari District.

3.The Inspector of Police,
Thuckalay Police Station,
Thuckalay,
Kanyakumari District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents No. 1 and 2 to permit the petitioner's Stage Carriage bearing registration No.TAE 7979 on the diverted route from Azhagiyamandapam, Mulagumoodu, Kozhiporevilai, RTO Office, Thikkanamcode and Pookadai instead of Thiruvithancode Thiruppu (via), Mugamathur and Kozhiporevilai Thiruppu and for other reliefs.



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For Petitioner	: Mr.A.C.Asaithambi
For R-1 & R-2	: Mr.R.Sureshkumar Additional Government Pleader
For R-3	: Mr.M.Vaikkam Karunanithi Government Advocate

ORDER

The present Writ Petition is filed for Mandamus directing the first and second respondents to permit the petitioner's Stage Carriage bearing registration No.TAE 7979 to operate/ply in the diverted route from Azhagiyamandapam, Mulagumoodu, Kozhiporevilai, RTO Office, Thickenamcode and Pookadai instead of Thiruvithancode Thiruppu (via), Mugamathur and Kozhiporevilai Thiruppu.

2. It is submitted by the learned counsel for the petitioner that the petitioner is operating a stage carriage bearing Registration No.TAE 7979 in Kanyakumari District and holding permit to operate the bus from Thukalay Bus Stand to Pookadai. It is submitted that roads are damaged in the route between Thiruvithancode Thiruppu to Kozhiporevilai Thiruppu (via) Mulagumoodu and further, four lane road works are carried out in the route between Kozhiporevilai Junction to Pookadai (via) Maruthancode. The petitioner is thus unable to operate his bus in the permitted route. Hence, the petitioner submitted a representation dated 22.08.2024 to the first and second



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respondents seeking permission to operate his bus on the alternative route from Azhagiyamandapam, Mulagumoodu, Kozhiporevilai, RTO Office, Thickenamcode to Pookadai. Since the said representation was not considered, the present Writ Petition has been filed.

3. At the outset, it was submitted by the learned Additional Government Pleader for the first and second respondents that the petitioner's representation would be considered and orders would be passed in accordance with law within a period of three weeks, which was accepted by the learned counsel for the petitioner.

4. In view of the same, taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the first and second respondents herein to consider the petitioner's representation dated 22.08.2024, on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner and other interested persons/stake holders, within a period of three (3) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned



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respondent to consider the representation on its own merits and in accordance with law.

5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

03.10.2024

Index : Yes / No
Internet : Yes/ No
Lm

To

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Kanyakumari.

2.The Regional Transport Officer,
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3.The Inspector of Police,
Thuckalay Police Station,
Thuckalay,
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MOHAMMED SHAFFIQ, J.

Lm

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