



W.P.(MD).No.23895 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.10.2024

CORAM

THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P.(MD).No.23895 of 2024

and

W.M.P.(MD).No.20232 of 2024

M.Raja Mohamed

... Petitioner

Vs.

- 1.The District Collector Cum
Regional Transport Authority,
Sivagangai District,
Sivagangai.
- 2.The Regional Transport Officer,
Sivagangai District,
Sivagangai.
- 3.The Motor Vehicle Inspector Grade – I,
Unit Office, Karaikudi,
Sivagangai District.
- 4.The Branch Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Karaikudi,
Sivagangai 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 to 3 permit the petitioner to operate the petitioner's Mini Bus bearing Registration TN 63-AV-0781 from the Karaikudi Temporary New Bus Stand till



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then the Karaikudi Old Bus Stand is completed the construction process and consequently direct the 4th respondent not to interfere above said his Mini Bus while entering into the Karaikudi Temporary New Bus Stand and for other reliefs.

For Petitioner : Mr.A.C.Asaithambi
For R-1 to R-3 : Mr.J.K.Jayaselan
Government Advocate

ORDER

The present Writ Petition is filed for Mandamus directing the respondents 1 to 3 to permit the petitioner to operate his mini bus bearing Registration No.TN 63-AV-0781 into Karaikudi temporary New Bus Stand till the construction process is completed in Karaikudi Old Bus Stand and further direct the fourth respondent not to disturb the petitioner's mini bus, while entering into Karaikudi temporary New Bus Stand.

2. It is submitted by the learned counsel for the petitioner that the petitioner is a mini bus operator in Sivagangai District and operating the mini bus bearing Reg.No.TN 63-AV-0781 on the route from Karaikudi Union Bank Muthoorani Vilakku to Puliyan Kudiyiruppu First Street and that the petitioner got transfer of permit to operate the bus from Karaikudi Old Bus Stand to the other terminus. It is submitted that construction works are carried out in the old bus stand and hence, the Transport Corporation as well as the private bus



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operators are operating their buses from the temporary new bus stand to their respective routes. However, the fourth respondent and its employees are preventing the petitioner's buses to enter into temporary new bus stand at Karaikudi. Thus, the petitioner submitted a representation to the respondents on 08.08.2024 seeking to take action in this regard. Since the same was not considered, the present Writ Petition has been filed.

3. It is submitted by the learned Government Advocate appearing for the respondents 1 to 3 that the above representation would be considered and orders would be passed in accordance with law within a period of four weeks from the date of receipt of a copy of this order, which was accepted by the learned counsel for the petitioner.

4. The learned counsel for the petitioner would submit that they may be permitted to submit an inspection report or any other documents at the time of personal hearing and the same may be considered, to which, the learned Government Advocate for the official respondents would submit that if any material/evidence is placed before the appropriate authority, the same would be considered and orders would be passed after taking into account all relevant documents/factors.



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5. 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 respondents 1 to 3 herein to consider the petitioner's representation dated 08.08.2024, on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner, fourth respondent and any other interested parties/stake holders, within a period of four (4) 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 respondent to consider the representation on its own merits and in accordance with law.

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

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Index : Yes / No
Internet : Yes/ No
Lm



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Sivagangai.
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MOHAMMED SHAFFIQ, J.

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