



W.P.(MD).No.23629 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.23629 of 2024

S.Seenivasan

... Petitioner

Vs.

- 1.The District Collector,
Collectorate,
Tuticorin.
- 2.The Commissioner,
City Municipal Corporation,
Tuticorin District.
- 3.The Superintendent of Police,
Office of Superintendent of Police,
Tuticorin.
- 4.The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Tuticorin.
- 5.The Regional Transport Officer,
Regional Transport Officer,
Tuticorin.
- 6.The Inspector of Police,
Central Police Station,
Tuticorin.



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7. The Inspector of Police,
Traffic Police Station,
All Women Police Station Campus,
Tuticorin.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing to implement the order dated 01.09.2023 passed by this Court in W.P.(MD).No.13370 of 2023 based on the petitioner's representation dated 06.08.2024.

For Petitioner	: Mr.N.Thuja
For R-1 & R-5	: Mr.R.Sureshkumar Additional Government Pleader
For R-2	: Mr.N.Anand Kumar Standing Counsel
For R-3, R-4, R-6 & R-7	: Mr.M.Vaikkam Karunanithi Government Advocate

ORDER

The present Writ Petition is filed for Mandamus directing the respondents to implement the order passed by this Court in W.P.(MD).No.13370 of 2023 dated 01.09.2023.

2. It is submitted by the learned counsel for the petitioner that the petitioner is a member of the Auto Stand in Old Bus Stand, Tuticorin District and their share autos are plying in the route permitted by the fifth



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respondent/Regional Transport Officer. While so, the fifth respondent has permitted ten more share autos to ply in the said route from Old Bus Stand. This has resulted in disputes between the old and new permit holders. Hence, the petitioner submitted a representation to the fifth respondent on 15.04.2023 to fix the time schedule and specify routes before permitting additional share autos. The same was rejected by the fifth respondent vide proceedings dated 09.05.2023. Aggrieved over the same, the petitioner filed a Writ Petition before this Court in W.P.(MD).No.13370 of 2023, wherein, after recording the agreement entered between the parties in the peace committee meeting conducted by the second respondent herein, this Court directed the parties to strictly adhere to the said agreement and disposed of the Writ Petition vide order dated 01.09.2023.

2.1. It is submitted by the learned counsel for the petitioner that the above order of this Court was not strictly complied with causing hindrance/disturbance to the general public. Hence, the petitioner submitted a representation to the respondents on 06.08.2024 for taking action to implement the earlier order of this Court dated 01.09.2023. Since the same was not considered, the present Writ Petition has been filed.



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3. It is submitted by the learned counsel, Ms.K.Sivaranjani, that she is representing some of the auto rickshaw owners, who are plying their vehicles in the said route and that their livelihood would also be affected in case any adverse orders are made.

4. At this juncture, the learned counsel for the respondents would submit that the petitioner's representation dated 06.08.2024 would be considered and orders would be passed in accordance with law after hearing the petitioner and any other interested parties/stake holders including the present permit holders, within a period of four (4) weeks, which was accepted by the learned counsel for the petitioner.

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 herein to consider the petitioner's representation dated 06.08.2024, on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner and other interested parties/stake holders including the present permit 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



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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.

03.10.2024

Index : Yes / No
Internet : Yes/ No
Lm

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MOHAMMED SHAFFIQ, J.

Lm

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