

W.P.Nos.27183 & 14558 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.Nos.27183 & 14558 of 2025
and WMP.Nos.30508, 29764,
16446 and Sr.No.86897 of 2025

W.P.No.27183 of 2025

1. Vasantha
2. Jayalakshmi Bharathi

... Petitioners

Vs.

1. K.Ashok
2. The State Transport Authority
Transport and Road Safety Commissionerate
Anna Salai, Guindy,
Chennai 600 032.

... Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, to issue Writ of Mandamus to direct the 2nd respondent to grant the transfer of permit in respect of the stage carriage bearing TN-32 AR-6952 plying on the route Villupuram to Puducherry in favour of the 1st petitioner herein i.e., Tmt.K.Vasantha, solely on the basis of the undisputed Will dated 07.02.2023 executed by Tmt.Vimala, registered as document No.3/2023 on the file of SRO, Mannurilupettai and to pass appropriate orders to renew the permit with effect from 01.01.2025 for a period of five years, until 31.12.2029.



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For Petitioner : Mr.M.Ravi

For Respondents : M/s.Bhargavigopalan
for R1
Mr.V.Manoharan
Addl. Government Pleader for R2

W.P.No.14558 of 2025

K. Ashok

... Petitioner

Vs.

The State Transport Authority

Transport and Road

Safety Commissionerate

T.S.No.2 (Part) Block 09

Adyar Village, Anna Salai,

Guindy, Chennai.

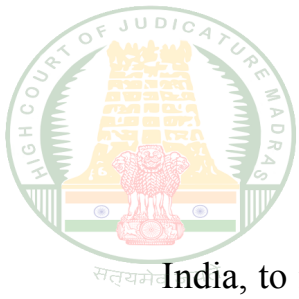
2. Vasantha

3. Jayalakshmi Bharathi

... Respondents

(R2 & R3 impleaded vide order dated 19.06.2025 made in WMP.No.24317 of 2025 in W.P.No.14558 of 2025 by NMJ)

PRAYER : Writ Petition filed under Article 226 of Constitution of



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India, to issue Writ of Mandamus to direct the respondent to transfer the permit in respect of stage carriage bearing Nos.TN-32 AR 6904 plying on the inter-state routes “Avudayarpet to Pondicherry” from the name of the deceased permit holder Tmt.K.Vimala in the name of the petitioner and grant the same.

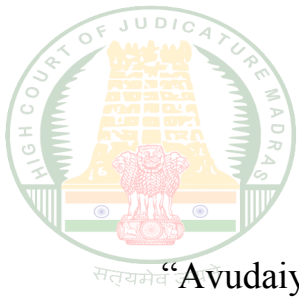
For Petitioner : Mrs.Radhagopalan

For Respondents : Mr.V.Manoharan
Addl. Government Pleader for R1

COMMON ORDER

W.P.No.27183 of 2025 has been filed for issuance of a Writ of Mandamus to direct the 2nd respondent to grant the transfer of permit in respect of the stage carriage bearing TN-32 AR-6952 plying on the route Villupuram to Puducherry in favour of the 1st petitioner herein i.e., Tmt.K.Vasantha, solely on the basis of the undisputed Will dated 07.02.2023 executed by Tmt.Vimala, registered as document No.3/2023 on the file of SRO, Mannurulupettai and to pass appropriate orders to renew the permit with effect from 01.01.2025 for a period of five years, until 31.12.2029.

W.P.No.14558 of 2025 has been filed for issuance of a Writ of Mandamus to direct the respondent to transfer the permit in respect of stage carriage bearing Nos.TN-32 AR 6904 plying on the inter-state routes



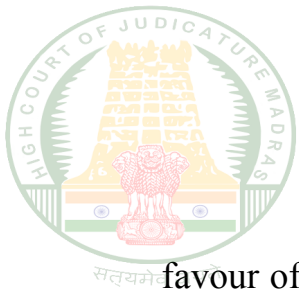
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“Avudaiyarpet to Pondicherry” from the name of the deceased permit holder Tmt.K.Vimala in the name of the petitioner and grant the same.

2. As common facts and issues of law are involved in this case, the writ petition is disposed by this common order. With the consent of all counsels, the main writ petitions are taken up for hearing. The parties will be referred to as per their rank in W.P.No.14558 of 2025.

3. The petitioner in W.P.No.14558 of 2025 is the brother of the petitioner's in W.P.No.27183 of 2025. The inter-state permit with respect to stage carriage bearing TN-32 AR-6952 and TN 32 AR 6904 plying on the inter-state routes “Villupuram to Puducherry and Avudaiyarpet to Pondicherry” respectively originally belonged to this mother namely Mrs.K.Vimala.

4. The petitioner and the private respondent's mother K.Vimala died on 26.10.2024, and during her life time she had executed a Will on 07.02.2023, bequeathing the permit along with the vehicle bearing Registration No.TN-32 AR-6952 plying on the route “Villupuram to Puducherry” in favour of the 2nd & 3rd respondents and the permit along with the vehicle bearing Registration No.TN 32 AR 6904 plying on the route “Aavudaiyarpet to Pududcherry” in



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favour of the petitioner. The petitioner had submitted an application for transfer of both permits in his favour on 19.12.2024. The petitioner's application for transfer of both permits was not accepted for want of No Objection letter from the other legal heirs. Since one of the permits for the route Villupuram to Puducherry was to expire on 31.12.2024, the petitioner filed writ petition in W.P.No.39367 of 2024 for a direction to the 1st respondent to receive the transfer application of the petitioner and permit the same.

5. Pending writ petition there was a family arrangement between the parties on 24.12.2024. Pursuant to the family arrangement the 2nd respondent submitted the application for transfer of permit for the vehicle bearing Registration No.TN 32 AR 6952 in her favour. The petitioner as well as the private respondents also gave No Objection letters to each other for transfer of the respective permits. In view of the family arrangements and the No Objection letter the petitioner withdrew the aforesaid writ petition on 03.01.2025 and the same was dismissed as withdrawn.

6. Based on the applications of the petitioner and the 2nd respondent and the mutual “No Objection” letters issued by them the 1st respondent scheduled the hearing on 03.03.2025, and on the said date the private



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respondents remained absent. Subsequently, the family arrangement was retracted and one of the sisters filed a complaint to the police. The petitioner had to appear before the police on 05.04.2024, which profoundly distressed him.

7. In any event, since the permit allotted to him was to expire on 02.05.2025 and as no hearing was conducted by the authorities subsequent to 03.03.2025, to ensure the smooth running of the vehicle the petitioner filed the above writ petition and obtained an order of status quo on 23.04.2005. On 19.05.2025 an enquiry was conducted, the private respondents appeared, but the petitioner withdrew his “No Objection” to the transfer of permit in favour of the 2nd respondent.

8. Thereafter, the writ petition was taken up for hearing before this Court on 18.07.2025, and this Court opined that as the 2nd respondent, the petitioner's sister had given “No Objection” letter to the petitioner for transfer of permit in his favour, he in all fairness ought not to have withdrawn the “No Objection” letter for transfer of permit in favour of the 2nd respondent. The learned counsel for the petitioner sought time to get instructions. The petitioner in obedience to the opinion of the Court agreed to withdraw the letter withdrawing the “No Objection” letter and further expressed his “No Objection”



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to the transfer of permit in favour of the 2nd respondent for the vehicle bearing Registration No.TN 32 AR 6952. The petitioner also filed a memo to the effect. The counsel for the private respondents submitted that his client has “No Objection” to the transfer of the permit for the vehicle bearing Registration No.TN 32 AR 6904, in favour of the petitioner and that the “No Objection” letter already issued was also before the 1st respondent.

9. In view of the memo dated 22.07.2025, filed by the petitioner before this Court and the aforesaid submission of the private respondent's counsel, this Court is inclined to issue a direction to the 1st respondent/State Transport Authority, Transport and Road Safety Commissionerate, Anna Salai, Guindy, Chennai to transfer the permit in respect of stage carriage bearing Registration No.TN 32 AR 6904 plying on the inter-state routes Avudayarpet to Pondicherry, from the name of the deceased permit holder K.Vimala to the name of the petitioner and so also to transfer the permit in respect of stage carriage bearing Registration No.TN 32 AR 6952 plying on the routes Villupuram to Puducherry, in favour of the 2nd respondent namely Vasantha, within a period of four weeks from the date of receipt of a copy of this order, on the basis of the mutual “No Objection” expressed by them in this Court and recorded in this order. Meanwhile, the petitioner is at liberty to ply the vehicle



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till the transfer order is passed in favour of the petitioner as well as the 2nd respondent.

10. These Writ Petitions are disposed of with the above observation and direction. No costs. Consequently, connected miscellaneous petitions are also closed.

24.07.2025

dpq

Index : Yes /No

Speaking Order : Yes/No

Issue order copy on 25.07.2025

N. MALA, J.

dpq

To
The State Transport Authority
Transport and Road Safety Commissionerate



W.P.Nos.27183 & 14558 of 2025

Anna Salai, Guindy,
Chennai 600 032.

W.P.Nos.27183 & 14558 of 2025
and WMP.Nos.30508, 29764,
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Issue order copy on 25.07.2025

24.07.2025