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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2025

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.38668 of 2024

M.Gowri

.. Petitioner

Vs.

1.The Joint Transport Commissioner (Rules)
Commissioner of Transport and Road Safety,
Guindy,
Chennai – 600 032.

2.The Regional Transport Officer,
Regional Transport Office,
Salem (West)
Salem District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to process the petitioner's application dated 09/05/2005 pending before them and to grant permit to run a mini bus from Pudhu road Ellambillai to Tharamangalam bus stand at Salem district based on her representation dated 11/11/2024 within the time framed by this Court.

For Petitioner

.. Ms.A.Nethra

For Respondents

.. Mr.T.Chandrasekaran

Special Government Pleader

**ORDER**

This writ petition has been filed in the nature of a mandamus seeking a direction against the 2nd respondent to process an application of the petitioner which was dated 09.05.2005 and to grant permit to run a mini bus between Pudhu road at Ellambillai to Tharamangalam both in Salem District. The petitioner had given a representation on 11.11.2024.

2.The petitioner has to suffer owing to delay and laches caused at her end. Initially an application had been given at 09.05.2005 seeking permission to ply a mini bus between the Pudhu road Ellambillai and Tharamangalam in Salem District. That application was rejected. Thereafter, a further appeal was filed and the same was also rejected in the year 2006. Thereafter, the petitioner had moved the State Transport Appellate Tribunal and an order has been passed in the year 2007, setting aside the rejection order dated 11.07.2007 and directing the 2nd respondent to consider the application afresh. It is not known what the petitioner was doing from the years 2007 till the year 2025. The petitioner seeks that the application given by the petitioner on 09.05.2005 may now be considered by the 2nd respondent.

3.It is contended that after the writ petition has been filed reply had been received from the 2nd respondent that the application of the petitioner is not found. It is



only natural that it will not be found, since the petitioner had not been diligent enough from 2007 to follow the matter. The 2nd respondent can reasonably expect that the petitioner has dropped the proposal and there is no intention of running the mini bus in that particular road. The representation on the petitioner dated 11.11.2024 is only an exercise in futility. The matter which had been buried in the year 2005 cannot be now reopened by the respondents.

4.I am not prepared to issue any mandamus. The learned counsel states that the petitioner would give a fresh representation. That would depend only on the petitioner and no direction can be given by this Court. The petitioner as a prudent person can seek permit in any route, anywhere, in any place in Tamil Nadu provided they have a transport vehicle for such purpose. The Court cannot issue any such direction. It is left to the discretion of the petitioner.

5.This writ petition stands dismissed. No Costs.

02.01.2025

Index:Yes/No
Internet:Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
ssr



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C.V.KARTHIKEYAN,J.

SSR

To

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