



W.P(MD) No.4593 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 18.12.2025

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

W.P(MD) No.4593 of 2020

&

M.P.(MD)Nos.3946 & 3947 of 2020

Nellai Mavatta Nellai Santhippu Munpaguthi
Railway Board,
Recognized Auto Driver's Labour Welfare Union,
Rep. by its Secretary,
2-A, Shiamalammal Sannathi Street,
Meenakshipuram,
Tirunelveli.

... Petitioner

Vs.

- 1.The District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The Divisional Manager,
Tamil Nadu State Transport Corporation,
Vannarpettai, Palayamkottai,
Tirunelveli.
- 3.The Regional Transport Officer,
N.G.O-B Colony,
Tirunelveli.



W.P(MD) No.4593 of 2020

4.The Deputy Station Master,
Southern Railway,
Tirunelveli.

5.The Commissioner of Police,
Tirunelveli District,
Tirunelveli.

6.The Inspector of Police,
Traffic Police Station,
Tirunelveli Junction,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 3 to regulate the stopping of buses in the permitted temporary Bus Stop ie., near Arasan Bakery at Tirunelveli Junction and also direct the respondents 5 and 6 to take action against the violators of the drivers and conductors of the buses within the time fixed by this Court.

For Petitioner : Mr.H.Arumugam

For Respondents : Mr.M.Siddharthan
Additional Government Pleader
for R1 & R3
: Mr.R.Rajamohan
for R2
: Mr.K.Govindarajan
CGSI for R4
: Mr.K.Gnanasekaran
Government Advocate (Crl.side)
for R5 & R6



W.P(MD) No.4593 of 2020

WEB COPY

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The writ petitioner is an association of auto drivers who are operating from Tirunelveli Railway Junction. This writ petition was filed in March 2020. During the relevant time, the new bus stand was under construction. It appears that the buses were stopping near Arasan Bakery at Tirunelveli Junction and this was affecting the business of the members of the petitioner association. It is not in dispute that the new bus stand has been fully constructed under the Smart City Project and therefore, the position that obtained in March 2020 may no longer be prevalent. Be that as it may, the core grievance of the petitioner appears to be that the buses should not be allowed to enter the junction premises.

3. The petitioner's counsel states that each driver is paying a sum of Rs.4,000/- for every six months towards license fee and that therefore, the buses should not be allowed to enter the junction premises.



W.P(MD) No.4593 of 2020

WEB COPY

4. This contention may not be sound. As rightly pointed by learned DSGI and the learned Additional Government Pleader as well as the learned Standing Counsel for the corporation, the choice should be left to the passenger to choose his or her mode of service. It is also stated that only those buses with appropriate route permit are permitted to enter the junction premises and not all the buses. This position is made clear in the counter affidavit filed by the Inspector of Police, Junction Traffic Circle, Tirunelvi City. Paragraph Nos.5 to 8 of the counter affidavit filed by the sixth respondent read as follows:-

5) It is the admitted fact that opposite to the Railway Junction, old Central Bus Stand called as Junction Bus stand was in existence and the same was shifted to Veinthankulam Bus Stand and the Junction Bus stand is being used as Bus Stand for the city buses as well as to board the passengers in buses plying towards Tenkasi which is now under construction and the construction work is being done by the Tirunelveli Corporation authorities.

6) It is the admitted fact that in view of the implementation of the Smart City Scheme, the 2nd Respondent Corporation demolished the bus stand and all the shops situated therein for putting up new Smart City Bus Stand and followed by the demolition of the bus stand, the District



WEB COPY



W.P(MD) No.4593 of 2020

Administration, the 1st Respondent herein, has assigned temporary bus shelters to pick up the passengers in front of Arasan Bakery, to meet the needs of travelling public at large.

7) It is submitted that the railway Station Master, Tirunelveli Junction received petitions from general public to arrange buses to facilitate their movement from the entrance of Junction Railway Station to their destination as they experienced hardship in taking their articles and children from the door-steps of Railway Station to the car-marked Arasan Bakery bus stop and on the representation of the Station Master dated 12.07.2016 to the Divisional Manager, TamilNadu State Transport Corporation, Vannarpettai, Palayamkottai, 2nd Respondent herein, who in turn requested the District Authority, the 1st Respondent herein. During the counseling meeting conducted by the 1st Respondent on 15.10.2019, directed the 2nd Respondent to send Government owned buses to the proximity of the Railway Station as per the Proceedings of the District Collector, Tirunelveli in ப.உ.ஈ. 1/23/2019 dated 15.10.2019 (enclosed) and accordingly, the 6th Respondent received a report from the 2nd Respondent to ply buses to Railway Junction road from New Bus Stand at Veinthankulam to board the Railway passengers only at the time of arrival and departure of the trains as per Railway Schedule with the fixed 15 Registration Numbers of the Government buses, i.e., TN72-N-2017, TN72-N-2013, TN72-N-1737, TN72-N-1859, TN72-N-2016, TN72-N-1867, TN72-N-1861, TN72-N-1873, TN72-N-2012, TN72-N-2013, TN72-N-2014, TN72-N-2019, TN72-N-2021, TN72-N-2022 and TN72-N-2023 etc., which were operated to reach Railway Junction road and after the introduction of new buses came into existence replacing the aforesaid 15 old buses, at present only 6 (six) following new Government buses i.e., TN72-N-2232 (Permit No.PSC (STU)45/TNSTC/2003), TN72-N-2239(Permit No.PSC (STU)11/TNSTC/2003), TN72-N-2241(Permit No.PSC (STU)8/TNSTC/2003), TN72-N-2253(Permit No.PSC (STU)44/TNSTC/2003), TN72-N-2257(Permit No.PSC (STU)13/TNSTC/2003) and TN72-N-2298(Permit No.PSC (STU)202/TNSTC/2003) are plying and as per the advice and instructions from the superior police officers, the 6th Respondent is regulating the movement of those buses on Railway Station road and no other Government buses are allowed to run on this en-route. The petitioner has mentioned the total Numbers and the Registration Numbers of the Government buses in this affidavit which were plied in the beginning when the construction work of bus stand was started.



W.P(MD) No.4593 of 2020

WEB COPY

-4-

8) It is submitted that the averments of the petitioner, stated in Para-7 of the affidavit, is denied. The Government buses are being plied by the T.N.S.T.C Tirunelveli division as per the orders of the District Collector, the 1st Respondent herein, in the Para-6 of the Proceedings of the District Collector, Tirunelveli in ந.க.சி-1/23/2019 dated 15.10.2019 to ply the buses to take turn on the right side of Anna statue via., Raja Building Road (Madurai Road) and to reach Railway Station Road through T.M.Road and return on the same way, where traffic is being regulated on time schedule during peak hours. Hence the averments of the petitioner, that the drivers are stopping vehicles on Railway Station Road illegally, is not tenable.

5. The petitioner has no fundamental right to insist that buses should not be allowed to enter the junction premises.

6. Recording the stand taken by the sixth respondent in the counter affidavit, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.S., J.) (R.K.M., J.)
18.12.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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W.P(MD) No.4593 of 2020

To
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Tirunelveli District,
Tirunelveli.
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