



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP Nos. 22273 & 22276 of 2026

S.Kanimozhi

Petitioner in WP.No.22273 of 2026

M/s R.S. Mani Transport

Petitioner in WP.No.22276 of 2026

Rep. by its Proprietor R.S. Arun No 56

Mariamman Kovil Street Vedaranyam

Taluk, Nagapattinam District

Vs

1. The Secretary

Regional Transport Authority

Nagapattinam

2.Regional Transport officer

Nagapattinam

Respondent(s)

Prayer in WP.No.22273 of 2026: Petition has been filed under Article 226 of Constitution of India, directing the respondents to implement the order granting variation in favour the petitioner made in R. No A2/24918/95 dated 23.04.1996 in accordance with the Judgement of this Honble Court made in W.P. No 23854 of 2001 etc, batch dated 07.08.2003.

Prayer in WP.No.22276 of 2026: Petition has been filed under Article 226 of Constitution of India, directing the respondents to implement the order granting variation in favour the petitioner made in R.No.A2/23862/95 dated 19.04.1996 in accordance with the Judgement of this Honble Court made in W.P. No 23854 of 2001 etc, batch dated 07.08.2003.

In both WPs

For Petitioner: Ms.Radha

For Respondent: Mr.P.Siddarth

Government Counsel

COMMON ORDER

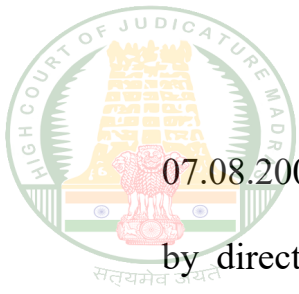
By consent of both parties, these writ petitions are taken up for final disposal at the admission stage itself.

2. These petitions have been filed for a direction, directing the



respondents to implement the order granting variation in favour the petitioners made in R.No.A2/24918/95 dated 23.04.1996 and R.No.A2/23862/95 dated 19.04.1996 respectively in accordance with the judgement of this Court made in W.P. No 23854 of 2001 etc., batch dated 07.08.2003.

3. It is the case of the petitioners that they are stage carrier operator having permit to ply on the route “Nagapattinam Bus Stand to Vizhunthamavadi” and “Thiruthuraipoondi to Vettaikaraniruppa” respectively and valid upto 15.12.2030 and 14.04.2027 respectively. The permits originally stood and transferred to various person and to the petitioners' on 29.06.2012 and 31.01.2020 respectively. The petitioners' predecessors have applied for variation of permit and the application was allowed vide proceedings dated 23.04.1996 and 19.04.1996. However, subsequently, the Government of Tamil Nadu vide Tamil Nadu Act 19 of 1996 cancelled various variations on 04.09.1996 which was put to challenge before this Court vide WP.Nos.23854 of 2021 etc., batch and this Court vide order dated 07.08.2003 allowed the writ petitions and declared the Act as ultra vires, unconstitutional and void and directed the authorities to restore all those variations which were cancelled in pursuance to the Tamil Nadu Act 19 of 1996. The petitioners submitted various representation, however, the same was not considered. Thereafter, similarly situated person filed a writ petition in WP.No.19638 of 2021 seeking to restore the variation of route in pursuance to the order of this Court vide order dated



07.08.2003. This Court vide order dated 22.11.2021 disposed of the writ petition by directing the authorities therein to consider the request of the petitioner.

Hence, seeks for similar order.

4. The learned Government Counsel has no dispute in passing the similar order and seeks for appropriate orders.

5. Heard both sides and perused the materials placed on record.

6. A similarly situated person filed a writ petition before this Court in WP.No.19638 of 2021, wherein, this Court directed the respondents therein to consider the request of the petitioner with regard to variation of route and pass appropriate orders permitting the petitioner therein to ply the earlier order dated 06.02.1996 issued in favour of the petitioner therein. The relevant portion of the order reads as follows:-

“19. In this regard, though a stand has been taken by the respondents, as averred in the counter affidavit, which has been quoted herein above and relying upon the same, though the learned Government Advocate made submissions that the request of the petitioner is not feasible for compliance, such a stand taken by the respondents, in the considered opinion of this Court, would run contra to the decision made by this Court in a Division Bench order dated 07.08.2003 cited supra.

20. When the 1996 Act itself was declared to be an ultra vires and a consequential direction was given to the Regional Transport Authorities to permit the permit holders to ply the vehicle in the varied route, the question of denying such benefit to the petitioner as his permit also was restored with the varied route by virtue of the said decision of the Division Bench dated



07.08.2003 is unjustifiable and unlawful. Therefore, this Court has no hesitation to hold that the petitioner is entitled to seek for a mandamus.

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21. In that view of the matter, this Writ Petition is disposed of with the following orders:

That there shall be a direction to the respondents to consider the request of the petitioner with regard to the variation of the route as has been allowed already by earlier order of the Regional Transport Authority dated 06.02.1996 and subsequent restoration by virtue of the order of the Division Bench of this Court dated 07.08.2003 and accordingly pass necessary orders on the application of the petitioner permitting the petitioner to ply the vehicle in the varied route as per the earlier order dated 06.02.1996 and accordingly the necessary orders shall be passed within a period of four weeks from the date of receipt of a copy of this order."

7. In view of the above, there shall also be a direction to the respondents to consider the request of the petitioners with regard to variation of the route and pass appropriate orders on the application of the petitioners permitting the petitioners to ply the vehicle in the varied route as per the earlier order dated 23.04.1996 & 19.04.1996. Such exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. Accordingly, these writ petitions stand disposed of. No costs.

15-06-2026

dhk

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

M.DHANDAPANI J.



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WP No. 22273 of 2026



dhk

To

1.The Secretary
Regional Transport Authority
Nagapattinam

2.Regional Transport officer
Nagapattinam

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