



W.P.No.32217 of 2019

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

W.P.No.32217 of 2019

1.Sudha
2.Sundari

...Petitioners

Vs.

1.The Deputy Transport Commissioner,
Deputy Transport Commissioner Office,
Kanthampatty By-Pass,
Salem-5.

2.The Regional Transport Officer,
Regional Transport Office,
Attur,
Salem District.

3.K.Suganthi

4.K.Suguna

...Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondent Nos.1 and 2 to cancel the permission granted bearing vehicle registration TN 77 H 2711 plying on the route “Attur to Unathur” in favour of the third respondent herein.



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For Petitioner : Mr.L.Rajendran
For Respondents : Mr.P.Siddarth
Government Counsel
for R1 and R2
Mr.R.Sundar for R3
No appearance for R4

ORDER

This Writ Petition has been filed to direct the respondent Nos.1 and 2 to cancel the permission granted bearing vehicle Registration No.TN 77 H 2711 plying on the route “Attur to Unathur” in favour of the third respondent herein.

2. The case of the petitioners is that the petitioners’ father, namely, Sivasubramani @ Sivasubramanian purchased a passengers bus bearing Reg. No.TN77 H 2711, in the name of Kumarasamy, who is the father of the respondents 3 and 4, as Kartha of the family on behalf of the petitioners’ father. Subsequently, the said Kumarasamy died leaving behind his legal heirs, namely, Suguna/fourth respondent herein, Suganthi/third respondent herein, Sudha and Sundhari and the father of the petitioners also died. Thereafter, the petitioners came to know that the third and fourth respondents approached the first and second respondents to transfer the passenger bus in their names without including the names of the petitioners.



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Therefore, the petitioners issued a legal notice to the third and fourth respondents herein and the same was received by them. In these circumstances, the third respondent filed W.P.No.34207 of 2018 seeking a direction to take back the application dated 20.11.2018 filed by her for transfer of permit in respect of stage bearing Reg.No.TN 77 H 2711 plying on the route Attur to Unathur. The first petitioner herein also filed W.P.No.32619 of 2018 seeking a direction to the first and second respondents to consider the petitioner's representation dated 08.11.2018. Both the writ petitions were disposed of on 03.04.2019 and the third respondent was directed to file an undertaking affidavit before the Sub Court Attur, in the suit filed by the petitioners in O.S.No.40 of 2013 against their grand father for partition, to the effect that she will deposit 50% of the net profits of the income derived from the stage carriage/vehicle bearing Reg.No.TN 77 H 2711 plying on the route Attur to Unathur. However, till date, the third respondent has not taken any steps to deposit 50% of the net profits being the income derived from the stage carriage/vehicle, even after the order passed by this Court. Hence, the first petitioner has sent a representation on 24.06.2019 to the respondents Nos.1 and 2, however, no action was taken by the respondents. Hence, the present writ petition.



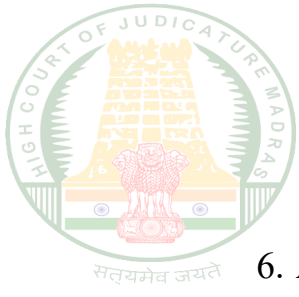
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3. The learned counsel appearing for the petitioners submitted that it would be suffice, if the respondent Nos.1 and 2 are directed to consider the representation of the petitioners dated 24.06.2019 on merits and in accordance with law, within a specified period.

4. Heard the learned counsel appearing for the petitioners, learned Government Counsel appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent. Though notice was served to the respondent No.4, there is no representation for the respondent No.4.

5. In view of the limited request made by the learned counsel appearing for the petitioners, this Court, without going into the merits of the case, directs the respondent Nos.1 and 2 to consider the representation of the petitioners dated 24.06.2019 and pass appropriate orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order, after providing opportunity to the petitioners and the respondent Nos.3 and 4.



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6. Accordingly, this Writ Petition is disposed of. There shall be no order

as to costs.

09.06.2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

ssb

To

1.The Deputy Transport Commissioner,
Deputy Transport Commissioner Office,
Kanthampatty By-Pass,
Salem-5.

2.The Regional Transport Officer,
Regional Transport Office,
Attur,
Salem District.



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M.DHANDAPANI, J.

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