



W.P.(MD).Nos.1730 and 1731 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)Nos.1730 and 1731 of 2025

and

W.M.P.(MD)Nos.1230, 1231, 5499, 1237, 1238 & 5512 of 2025

N.Suriyakala

... Petitioner in both the W.Ps.

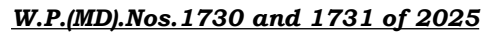
Vs

1.The Regional Transport Authority,
Kumbakonam Region,
Thanjavur District.

2.The Registering Authority / Secretary,
Regional Transport Officer,
Kumbakonam.

... Respondents in both the W.Ps.

PRAYER IN W.P.(MD)No.1730 of 2025:- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the respondents in Gazette No.4 of Thanjavur District Gazette dated 06.12.2024 publishing the order of the respondents in R.No.9513/A2/2024 dated 21.11.2024 declaring the permit in respect of Vehicle No.TNP-7374 plying on the route "Kumbakonam Bus Stand to Annal Agraharam" as *non-est* with immediate effect and further directing the General Manager, Tamil Nadu State Transport



PRAYER IN W.P.(MD)No.1731 of 2025:- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records of the respondents in R.No.9513/A2/2024 dated 11.11.2024 cancelling the Registration Certificate in respect of Vehicle No.TNP-7374 plying on the route "Kumbakonam Bus Stand to Annal Agraharam" as *non-est* and to quash the same.

COMMON ORDER

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2. Pursuant to the cancellation of the registration certificate, the permit was also cancelled by the impugned order dated 06.12.2024. Challenging both the cancellation of the registration certificate and the consequential cancellation of the permit, the present two writ petitions have been filed.

3. The learned counsel for the petitioner submitted that a show cause notice dated 27.09.2024 was issued for the purpose of cancelling the registration certificate, which was received by the petitioner's husband R.Nagarajan on 07.10.2024, when he was alive. After receipt of the said notice, he passed away on 15.10.2024, and therefore, the petitioner was not aware of the said show cause notice. Thereafter, the impugned order declaring the certificate of registration as *non est* was passed on 11.11.2024, *i.e.*, after the demise of the owner of the bus, namely, the petitioner's husband. Subsequently, the permit was cancelled on 06.12.2024. Hence, these writ petitions have been filed on the ground that both the orders were passed against a dead person, in violation of the principles of natural justice.



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4. The learned Government Advocate appearing for the respondents submitted that the vehicle had been hypothecated and was under the control of the petitioner's husband. Under these circumstances, the owner was issued with a show cause notice. Since no reply was submitted, the impugned orders came to be passed.

5. Considering the submissions made by the learned counsel for the petitioner and the learned Government Advocate for the respondents, this Court is of the view that, though the show cause notice dated 27.09.2024 was issued on various grounds and was received by the petitioner's husband on 07.10.2024, unfortunately, he passed away on 15.10.2024. Consequently, no reply could be submitted and the petitioner was not aware of the said notice. Under these circumstances, the two impugned orders, namely, the cancellation of the registration certificate dated 11.11.2024 and the cancellation of the permit dated 06.12.2024, were passed against a dead person. Therefore, the said orders are not sustainable in the eye of law and are liable to be quashed.



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6. Accordingly, both the impugned orders are set aside. The petitioner is permitted to submit a response to the show cause notice dated 27.09.2024, issued for the purpose of cancellation of the registration certificate, and thereafter, the respondents shall afford an opportunity of hearing and decide the matter in accordance with law. In the meantime, the respondents are directed to consider any transfer application filed by the petitioner for transfer of the licence.

7. Accordingly, these Writ Petitions stand disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

NCC : Yes / No
Index : Yes / No
smn2

03.02.2026

To

- 1.The Regional Transport Authority,
Kumbakonam Region,
Thanjavur District.
- 2.The Registering Authority / Secretary,
Regional Transport Officer,
Kumbakonam.

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KRISHNAN RAMASAMY, J.

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Common order in
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