



W.P(MD)Nos.6391 to 6396 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 10.06.2026

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)Nos.6391, 6392, 6393, 6394, 6395, 6396 of 2026

and

**W.M.P(MD)Nos.5309, 5310, 5318, 5319, 5312, 5313, 5324, 5325,
5314, 5316, 5315, 5317, 6972, 6973, 6974, 6975, 6976, 6986, 6977,
7009 of 2026**

W.P.No.6391 of 2026

S.Vairavan

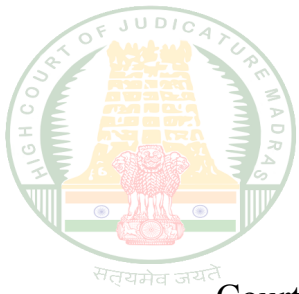
... Petitioner

Vs.

1. The District Collector-cum-
Regional Transport Authority,
Tenkasi,
Tenkasi District.
2. The Regional Transport Officer,
Tenkasi,
Tenkasi District.
3. A.Ganesan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of CERTIORARI calling for the records pertaining to the Impugned Order passed by the 1st Respondent vide his Proceedings in 4574/A3/2026 dated 02.03.2026 and quash the same as illegal and pass such further or other orders as this Honble



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Court may deem fit and proper in the circumstance of the case and thus render justice.

For Petitioner : Mr.A.C.Asaithambi

For R1 and R2 : Mr.R.Parthiban
Government Standing Counsel

COMMON ORDER

By this common order all the writ petitions are being disposed of.

2. The details of the respective writ petitions challenging the respective impugned proceedings are as under:-

Sl. No	W.P.No.	Proceedings No.	date	Served route (Kms.)	Un-served route (Kms.)	Total (Kms.)
1.	6391 of 2026	4574/A3/2026	02.03.2026	8.7	16.2	24.9
2.	6392 of 2026	4575/A3/2026	02.03.2026	8.7	16.2	24.9
3.	6393 of 2026	4485/A3/2026	02.03.2026	8	16.6	24.6
4.	6394 of 2026	4486/A3/2026	02.03.2026	8	16.6	24.6
5.	6395 of 2026	4568/A3/2026	02.03.2026	8.1	15.9	24.0
6.	6396 of 2026	4569/A3/2026	02.03.2026	8.1	15.9	24.0



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3. The above writ petitions have been filed challenging the permits granted to the third respondent for operating minibuses on various routes. The primary ground of challenge to the impugned orders is that under the scheme framed by G.O. (Ms.) No. 198, dated 28.04.2025, a minibus permit can be granted only if the served sector does not exceed 35% and the unserved sector is not less than 65% of the total route length. According to the petitioners, the permits granted exceed the limits prescribed under the said Government Order.

4. The learned counsel appearing for the petitioners would submit that the total length of a minibus route can only be up to 25 kilometres. Therefore, if the served sector exceeds 8 kilometres, it would exceed the prescribed limit of 35%. It is the specific contention of the petitioners that, in some of the routes, the served sector extends up to 12 kilometres and, therefore, the permits granted to the third respondent are in violation of the Government Order. Hence, the petitioners have approached this Court.



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5. Additionally, a ground has been raised that, where there are multiple applicants for minibus route permits, the prescribed procedure of drawal of lots has not been followed. More specifically, the learned counsel contends that, in the mapping exercise undertaken by the respondents to identify the served and unserved sectors, certain sectors which are already served by the petitioners as well as by Government buses have been wrongly treated as unserved while granting permits to the third respondent.

6. Per contra, the learned Government Standing Counsel appearing on behalf of respondents 1 and , by producing the route maps approved by the authorities would contend that for instance, in the first writ petition, namely W.P.(MD) No. 6391 of 2026, wherein the permit granted for the route from Arunachalampuram to Vadakarai Bus Stop is under challenge, the unserved sector measures 16.2 kilometres, whereas the served sector is only 8.7 kilometres.



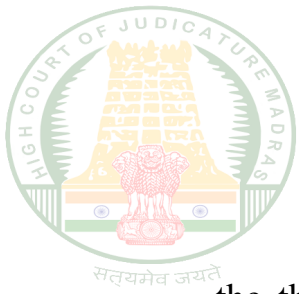
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7. According to the learned Government Standing Counsel the total route length does not exceed 25 kilometres and the served sector does not exceed 35% of the total route length, as mandated under the Government Order. Therefore, the submissions made by the learned counsel for the petitioners regarding the served and unserved sectors are factually incorrect.

8. He would further submit that, with regard to the issue of drawal of lots, the petitioners are only stage carriage operators and not minibus operators. They have not applied for any minibus route permits and therefore, cannot raise a grievance regarding the alleged non-compliance with the procedure of drawal of lots. With regard to the third contention, it is submitted that, after due inspection and publication in the Gazette, the route maps were finalized and approved. Therefore, the same cannot be held to be incorrect merely on the *ipsi dixit* of the petitioners.

9. The learned counsel appearing on behalf of the minibus operator adopts the submissions of the learned Government Standing Counsel and contends that the permit has been rightly granted and that



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the third respondent is operating strictly in accordance with the duly approved route.

10. I have considered the rival submissions made on either side and perused the materials available on record.

11. On a *prima facie* consideration of the route maps finalized by the authorities and duly published, it appears that, in the case of the route from Arunachalampuram to Vadakarai, the total route length is 24.9 kilometres, of which 16.2 kilometres constitute the unserved sector, amounting to 65.25% of the total route length. Therefore, it cannot be said, at this stage, that the permit granted violates the stipulations contained in the Government Order framing the scheme. However, the contention of the learned counsel for the petitioners is that the said figures are factually incorrect and that the actual unserved sector is only about 12 kilometres. To establish such a contention, it is for the petitioners to challenge the permits before the appropriate Tribunal and adduce evidence to demonstrate that the route map finalized by the authorities is factually incorrect.



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12. This Court, while exercising jurisdiction under Article 226 of the Constitution of India, cannot undertake an adjudication as to whether the unserved sector is 12 kilometres or 16.2 kilometres. The same position applies to the other writ petitions as well. It is consistently maintained on behalf of the respondents that, in none of the cases, do the served and unserved sectors violate the 35% and 65% requirements prescribed under the Rules.

13. With regard to the contention relating to drawal of lots, I am of the view that, since the petitioners merely contend that their business interests are affected and are not themselves applicants competing for the grant of minibus permits, the said issue need not be considered at their instance. Therefore, insofar as the dispute regarding the extent of the served and unserved sectors is concerned, the same involves disputed questions of fact which cannot be adjudicated upon in proceedings under Article 226 of the Constitution. It would, therefore, be appropriate for the petitioners to avail the statutory remedy of appeal before the Tribunal.



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14. The learned counsel for the petitioners would submit that copies of the original orders were not furnished to them, thereby preventing them from preferring appeals before the Tribunal.

15. In view there of these writ petitions are disposed of on the following terms:-

- i. Within two weeks from today, let the duly certified copies of the permits that is granted in favor of the minibus operators be furnished to the petitioners;
- ii. It will be open for the petitioners to analyze the Tribunal in the manner and agitate all the ground grounds in the manner known to law, without waiting for the certified copy of the order;
- iii. No costs. Consequently, connected miscellaneous petitions are closed.

10.06.2026

Neutral Citation: No
rgm



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D.BHARATHA CHAKRAVARTHY, J.

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