



W.P(MD)No.12655 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.12655 of 2026

H.Mohammed Khansha

... Petitioner

vs.

1.The Regional Transport Authority cum
District Collector,
O/o Collectorate, Madurai.

2.The Regional Transport Officer,
Madurai North,
Madurai.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the second respondent in R.No.15302/A2/2026 dated 09.03.2026 returning the application of the petitioner dated 05.03.2026 for grant of Mini Bus stage carriage permit to ply on the route Mattuthavani Bus Stand to Fathima Nagar and to quash the same and further direct the respondents to receive petitioner application and pass orders on merits and in accordance with law.



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For Petitioner : Mr.T.Padmanabhan

For Respondents : Mr.P.Thambidurai
Government Advocate

ORDER

The Writ Petition is filed for issuance of writ a Certiorarified Mandamus, calling for the records relating to the order of the second respondent dated 09.03.2026, by which the application of the petitioner dated 05.03.2026 for grant of a mini bus stage carriage permit to ply on the route Mattuthavani Bus Stand to Fathima Nagar was returned, to quash the same and further to direct the respondents to receive the petitioner's application and pass orders on merits and in accordance with law.

2.Upon perusal of the impugned order, it can be seen that the Regional Transport Officer returned the application made by the petitioner on the ground that the applications have to be considered only on a “first come, first served” basis and since the petitioner's application was belated, the same was returned.



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3.The learned counsel for the petitioner would submit that the Regional Transport Officer is only the authority to receive the application, process the same and submit it to the Regional Transport Authority, namely the District Collector and that the Regional Transport Officer cannot pass orders rejecting or returning the application. It is for the petitioner to convince the Regional Transport Authority with reference to the legal position.

4.The learned Government Advocate, taking notice on behalf of the respondents, would submit that since the applications are to be decided on a “first come, first served” basis, the application was returned with the said endorsement.

5.I have considered the rival submissions made on either side and perused the material records of the case.



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6.Since it is not in dispute that it is only the Regional Transport Authority, namely the District Collector, the first respondent, who is the authority to pass final orders on the application, notwithstanding the impugned order, the petitioner is permitted to re-present the application before the second respondent. The second respondent shall duly forward the same for the consideration by the first respondent. The first respondent shall consider the application, afford an opportunity of personal hearing to the petitioner and thereafter, pass final orders in accordance with law.

7.In view thereof, this Writ Petition is disposed of on the following terms:

- i. Within one week from the date of receipt of a web copy of this order, the petitioner shall re-present the application before the second respondent.
- ii. As and when such re-presentation is made, the second respondent shall duly forward the same to the first respondent in accordance with the prescribed procedure.



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- iii. The first respondent shall take up the application of the petitioner, provide an opportunity of hearing to the petitioner and any other interested persons, and pass final orders in the manner known to law.
- iv. The said proceedings shall be expedited and completed by the respondents 1 and 2 within a period of twelve weeks from the date of re-presentation of the application by the petitioner.

No costs.

**27.04.2026
(1/3)**

NCC : Yes / No
ps

To

1.The Regional Transport Authority cum
District Collector,
O/o Collectorate,
Madurai.

2.The Regional Transport Officer,
Madurai North,
Madurai.

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D.BHARATHA CHAKRAVARTHY, J.

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