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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03-11-2026

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

WP(MD) No. 31320 of 2026

CNR:{HCMD011554302026}

Case QR

S.Giritharan,
S/o.R.Sakthivel,
No.22/1-1, Sankari Cross Road,
4, Setharampalayam,
Thiruchengode Taluk, Namakkal District.

..Petitioner(s)

Vs

1. The Regional Transport Authority,
   Dindigul, Dindigul District.

2. Regional Transport Officer,
   Dindigul, Dindigul District.

..Respondent(s)

PRAYER: Writ Petition, filed under Article 226 of the Constitution of India, praying this Court for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned letter issued by the second respondent in A.Thi.Mu.No.40536-A3-2026, dated 06.10.2026, quash the same as illegal, arbitrary and without jurisdiction, and consequently direct the respondents to entertain and consider the petitioner's application dated 03.09.2026 seeking curtailment of the portion of the permitted route via Solavanthan, measuring approximately 2 kilometres, in respect of the state carriage bearing Registration No. TN 82 F 9686, operating on the route Madurai to Palani - 4 singles per day, and pass appropriate orders on merits and in accordance with law, after affording the petitioner an opportunity of being heard.

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For Petitioner : Mr.A.C.Asaithambi

For Respondents : Mr.M.S.Parthiban
Government Advocate

ORDER

The petitioner submitted an application for curtailment of the route in relation to the stage carriage permit for the vehicle bearing Registration No.TN 82 F 9686. Said request was returned under the impugned communication.

2. Adverting to the impugned communication, learned counsel for the petitioner submits that the Tamil Nadu Motor Vehicles (Special Provisions) (Cancellation of Variation of Conditions of Permit) Act, 1996 was cited as the reason for returning the petitioner's application for variation. Relying on the judgment of the Division Bench of this Court in ***R.Srinivasan v. The State of Tamil Nadu and another***, 2003-4-L.W.296, he submits that the said enactment was held to be unconstitutional, ultra vires and void. He also points out that sub-section (3) of Section 80 of the Motor Vehicles Act, 1988, expressly provides for an application for curtailment of the route.

3. Accepting notice on behalf of both the respondents, Mr.M.S.Parthiban, learned Government Advocate, submits that the

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application was returned and that the same may be resubmitted for reconsideration.

4. By the judgment in ***R.Srinivasan***, the Division Bench of this Court declared that the Tamil Nadu Motor Vehicles (Special Provisions) (Cancellation of Variation of Conditions of Permit) Act, 1996, is unconstitutional, ultra vires and void. In those circumstances, citing said statute as a ground to return the petitioner's application for variation is untenable. Consequently, the impugned communication is set aside. As a corollary, the petitioner is permitted to resubmit the application for curtailment of the route. Such application shall be considered in accordance with Section 80(3) of the Motor Vehicles Act and any applicable rules. If the application is resubmitted within 15 days from the date of receipt of a copy of this order, said application shall be disposed of within 30 days from the date of receipt thereof.

5. This Writ Petition is disposed of on the above terms. There shall be no order as to costs.

03-11-2026
(2/2)

Index: No
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To

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   Dindigul, Dindigul District.

2. Regional Transport Officer,
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SENTHILKUMAR RAMAMOORTHY, J.
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WP(MD) No. 31320 of 2026

03-11-2026

(2/2)

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