

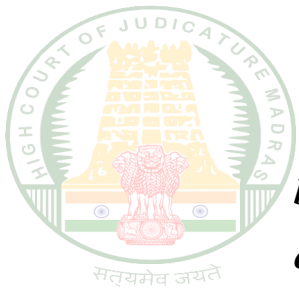


**WP.Nos.26041 & 26042 of 2014**

WEB COPY **C.V. KARTHIKEYAN, J.**

These writ petitions have been filed in the nature of certiorarified mandamus seeking interference with the order of the 1st respondent dated 05.06.20214 by which order, the first respondent had set aside the earlier order of the 2nd respondent dated 03.01.2011. By the order of the 2nd respondent dated 03.01.2011 the petitioner was permitted to ply mini bus in the route Sundaraperumal Kovil to Uttchipillaiyar Kovil to touch Kumbakkonam bus stand. The main grievance raised on behalf of the petitioner is about the direction given in the impugned order which is as follows:-

***“9. In the result, both the revision petitions (03/2011 and 04/2011) are allowed and the order of the Regional Transport Authority, Kumbakkonam @ Thanjavur, made in R.No.491981/B1/2010, dated 03.01.2011 is set aside. The matters are remitted back to the Regional Transport Authority, to verify the total route length, to verify the correct, actual distance of served sector in the permit issued in the year 2001, 2007, to verify the actual route length of the served sector in the 4<sup>th</sup> reference cited in the impugned order with the route map, in the presence of the revision petitioners and the 1<sup>st</sup> respondent, and if the route comes within the norms for mini***

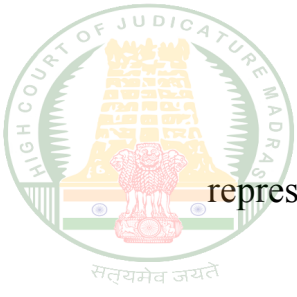


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***bus scheme, then the Regional Transport Authority, pass orders, allowing the 1<sup>st</sup> respondent, and if the route comes within the norms for mini bus scheme, then the Regional Transport Authority, pass orders, allowing the 1<sup>st</sup> respondent to enter into the Bus stand, or to pass orders as per law. Status quo till then”.***

2. Even the first respondent had granted status quo till the exercise mentioned above is completed. The point now urged on behalf of the writ petitioner is that in Kumbakkonam a new bus stand had been constructed and that therefore the distance must be calculated till that new bus stand from where the mini bus of the petitioner is being plied. The writ petition may be kept pending. The direction that the matter should be remitted back is maintained but a direction is issued to verify the actual route length of the served sector from Sundaraperumal Kovil to Utchhiperumal Kovil stopping with the new Kumbakkobam Bus Stand. Let that exercise be completed and a report be filed.

3. On behalf of the third respondent, it is contended that even if that particular new bus stand distance is taken into consideration, the length of the new served sector would exceed 5 kilometres. But according to the



representation on behalf of the petitioner it is less than 4 kms. This is an issue

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on fact.

4. The learned Additional Advocate General may examine this fact and a direction is issued to the 2nd respondent to verify the actual served route of the petitioner from Sundaraperumal Kovil to Uchhipillaiyar Kovil till the new Kumbakkonam Bus Stand where mini buses are plied. Report may be filed.

5. For filing such report list the matter on 27.02.2025.

6. Status quo already granted by this Court shall continue till then. The 2nd respondent may conduct the said exercise of verifying the route after issuing notice to the petitioner and also to the third respondent and in their presence may verify the served route.

24.01.2025

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**24.01.02025**