

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S).4480/1998

G.T. VENKATASWAMY REDDY

APPELLANT (S)

VERSUS

STATE TRANSPORT AUTHORITY & ORS.

RESPONDENT (S)

WITH

C.A. No. 4481/1998, C.A. No. 7195-7197/2001, C.A. No. 2782/2002,  
C.A. No. 7299/2002, C.A. No. 3605/2003, C.A. No. 3606/2003, C.A.  
No. 3633/2003, C.A. No. 3731-3733/2003, C.A. No. 3853/2003 & SLP (C)  
No. 22621-22622/2015

O R D E R

C. A. NO.4480/1998

Heard Ms. Kiran Suri, learned senior counsel appearing on behalf of the appellant as well as learned counsel for the respondents.

The revision petition filed by the appellant against the refusal to grant counter signatures on the two singles with the inclusion of one bus was rejected by the learned Single Judge on the following grounds:

"(a) That 1990 Suppl. SCC 361 applies to the present case and existing operator cannot increase the number of trips when the approved scheme was in force. That overlapping of the notified route is not permissible.

(b) Tamil Nadu Act 41 of 1992 published on 31.07.1992 do not apply to the other State operators.

(c) That route overlaps draft scheme."

Insofar as the first ground is concerned, now it stands concluded in view of the decision of the Constitution Bench dated 19.07.2016 in G.T. Venkataswamy Reddy vs. State Transport Authority & Ors., [2016 (7) SCALE 200]. As far as the second ground is concerned, the provisions of Tamil Nadu Act 41 of 1992 do not apply to the other State operators.

We do not find any ground to interfere in this matter. The Civil Appeal is, accordingly, dismissed.

C.A. No. 7195-7197/2001, C.A. No. 2782/2002, C.A. No. 3633/2003, C.A. No. 3853/2003 & C.A. No. 3731-3733/2003.

Heard learned learned counsel for the parties.

Delay condoned in filing substitution application and substitution is allowed in C.A. No. 2782/2002 & C.A. No. 3731-3733/2003.

We have perused the operative portion of the order of the learned Single Judge who after adverting to the factual contentions as well as rival contentions remanded the case back to the Regional Transport Authority, which order is confirmed by the Division Bench.

We do not propose to interfere with the order impugned. The civil appeals are dismissed.

However, we direct the Regional Transport Authority to examine the case as directed by the High Court in the light of the decision

of the Constitution Bench dated 19.07.2016 in G.T. Venkataswamy Reddy vs. State Transport Authority & Ors., [2016 (7) SCALE 200] and statutory provisions of the Act viz. The Tamil Nadu Motors Vehicles (Special Provisions) Act, 1992 and relevant rules framed thereunder.

C.A. No. 3606/2003

Learned counsel for the appellant after some arguments seeks permission to withdraw the civil appeal. Permission granted.

The civil appeal is dismissed as withdrawn.

C.A. No. 4481/1998, C. A. No. 7299/2002 & C.A. No. 3605/2003

We do not find any ground to interfere in these matters. The Civil Appeals are dismissed.

SLP(c) No. 22621-22/2015

We are not inclined to entertain this special leave petition, which is dismissed.

.....J.  
[V. GOPALA GOWDA]

.....J.  
[UDAY UMESH LALIT]

NEW DELHI;  
SEPTEMBER 22, 2016.

REVISED

ITEM NO.101

COURT NO.8

SECTION XII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 4480/1998

G.T. VENKATASWAMY REDDY

Appellant(s)

VERSUS

STATE TRANSPORT AUTHORITY &amp; ORS.

Respondent(s)

(with appln. (s) for impleadment and intervention and office report)

WITH

C.A. No. 4481/1998  
Office Report)C.A. No. 7195-7197/2001  
Office Report)C.A. No. 2782/2002  
(With (With appln.(s) for c/delay in filing substitution appln. and  
appln.(s) for substitution for bringing on record lrs. of deceased  
petitioner and Office Report)C.A. No. 7299/2002  
Office Report)C.A. No. 3605/2003  
(With appln.(s) for directions and Office Report)C.A. No. 3606/2003  
Office Report)C.A. No. 3633/2003  
Office Report)C.A. No. 3731-3733/2003  
(With appln.(s) for c/delay in filing substitution appln. and  
appln.(s) for c/delay in filing substitution appln. and appln.(s)  
for substitution and appln.(s) for substitution and Office Report)C.A. No. 3853/2003  
(With appln.(s) for discharge of advocate on record and appln.(s)  
for directions and Office Report)

SLP(C) No. 22621-22622/2015

(With Interim Relief and Office Report)

Date : 22/09/2016 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA  
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Appellant(s)

Ms. Kiran Suri, Sr. Adv.  
Mr. S.J. Amith, Adv.  
Mr. Gautam Kumar, Adv.  
Dr. (Mrs.) Vipin Gupta, Adv.

Mr. A. Mariarputham, Sr. Adv.  
Ms. Aruna Mathur, Adv.  
Mr. Yusuf Kha, Adv.  
Mr. Avneesh Arputham, Adv.  
Ms. Anuradha Arputham, Adv.  
M/s Arputham Aruna & Co.

Mr. Balaji Srinivasan, Adv.  
Mr. Pratiksha Mishra, Adv.

Mr. N. Ganpathy, Adv.

Mr. Thomas P. Joseph, Sr. Adv.  
Mr. M. Giveesh Kumar, Adv.  
Mr. Sriram P., Adv.  
Mr. Vijay Kumar, Adv.

Mr. N.D.B. Raju, Adv.  
Mr. Guntur Prabhakar, Adv.  
Mr. C. Rubhavethi, Adv.

Mr. Jayanth Muth Raj, Adv.  
Ms. Malavika J., Adv.  
Mr. Sureshan P., Adv.

Mr. Nag Mohan Das, Sr. Adv.  
Mr. N.D.B. Raju, Adv.  
Mr. M.A. Chinasamy, Adv.  
Mr. Sandeep Chaudhary, Adv.

For Respondent(s)

Ms. Kiran Suri, Sr. Adv.  
Mr. S.J. Amith, Adv.  
Mr. Gautam Kumar, Adv.  
Dr. (Mrs.) Vipin Gupta, Adv.

Mr. A. V. Rangam, Adv.

Mr. B. Balaji, Adv.  
Mr. Muthuvel Palani, Adv.  
Mr. A. Arvind Athithian, Adv.

Mr. R. Ayyam Perumal, Adv.

M/s Arputham Aruna & Co.

Mr. V.N. Raghupathy, Adv.  
Mr. Parikshit P. Angadi, Adv.

Mr. K. V. Mohan, Adv.

Mr. R.S. Hegde, Sr. Adv.  
Ms. Farhat Johan Rehmani, Adv.  
Mr. Chandra Prakash, Adv.  
Mr. Shanti Prakash, Adv.  
Mr. Rajeev Singh, Adv.

Mr. Venkateshwar Rao Anumolu, Adv.  
Mr. H.K. Naik, Adv.  
Mr. Prabhakar Parnam, Adv.  
Mr. Shashwat Goel, Adv.

Mr. Guntur Prabhakar, Adv.  
Ms. Prerna Singh, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

The civil appeals as well as special leave petition are  
dismissed in terms of the Signed order.

Application(s) pending, if any, shall stand disposed of  
accordingly.

(Ashwani Thakur)  
COURT MASTER

(Mala Kumari Sharma)  
COURT MASTER

(Signed order is placed on the file)

ITEM NO.101

COURT NO.8

SECTION XII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 4480/1998

G.T. VENKATASWAMY REDDY

Appellant(s)

VERSUS

STATE TRANSPORT AUTHORITY &amp; ORS.

Respondent(s)

(with appln. (s) for impleadment and intervention and office report)

WITH

C.A. No. 4481/1998  
Office Report)C.A. No. 7195-7197/2001  
Office Report)C.A. No. 2782/2002  
(With (With appln.(s) for c/delay in filing substitution appln. and  
appln.(s) for substitution for bringing on record lrs. of deceased  
petitioner and Office Report)C.A. No. 7299/2002  
Office Report)C.A. No. 3605/2003  
(With appln.(s) for directions and Office Report)C.A. No. 3606/2003  
Office Report)C.A. No. 3633/2003  
Office Report)C.A. No. 3731-3733/2003  
(With appln.(s) for c/delay in filing substitution appln. and  
appln.(s) for c/delay in filing substitution appln. and appln.(s)  
for substitution and appln.(s) for substitution and Office Report)C.A. No. 3853/2003  
(With appln.(s) for discharge of advocate on record and appln.(s)  
for directions and Office Report)SLP(C) No. 22621-22622/2015  
(With Interim Relief and Office Report)

Date : 22/09/2016 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA  
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Appellant(s)

Ms. Kiran Suri, Sr. Adv.  
Mr. S.J. Amith, Adv.  
Mr. Gautam Kumar, Adv.  
Dr. (Mrs.) Vipin Gupta, Adv.

Mr. A. Mariarputham, Sr. Adv.  
Ms. Aruna Mathur, Adv.  
Mr. Yusuf Kha, Adv.  
Mr. Avneesh Arputham, Adv.  
Ms. Anuradha Arputham, Adv.  
M/s Arputham Aruna & Co.

Mr. Balaji Srinivasan, Adv.  
Mr. Pratiksha Mishra, Adv.

Mr. N. Ganpathy, Adv.

Mr. Thomas P. Joseph, Sr. Adv.  
Mr. M. Giveesh Kumar, Adv.  
Mr. Sriram P., Adv.  
Mr. Vijay Kumar, Adv.

Mr. Guntur Prabhakar, Adv.  
Mr. C. Rubhavethi, Adv.

Mr. Jayanth Muth Raj, Adv.  
Ms. Malavika J., Adv.  
Mr. Sureshan P., Adv.

Mr. Nag Mohan Das, Sr. Adv.  
Mr. N.D.B. Raju, Adv.  
Mr. M.A. Chinasamy, Adv.  
Mr. Sandeep Chaudhary, Adv.

For Respondent(s)

Ms. Kiran Suri, Sr. Adv.  
Mr. S.J. Amith, Adv.  
Mr. Gautam Kumar, Adv.  
Dr. (Mrs.) Vipin Gupta, Adv.

Mr. A. V. Rangam, Adv.

Mr. B. Balaji, Adv.  
Mr. Muthuvel Palani, Adv.

Mr. A.Arvind Athithian, Adv.

Mr. R. Ayyam Perumal, Adv.

M/s Arputham Aruna & Co.

Mr. V.N. Raghupathy, Adv.

Mr. Parikshit P. Angadi, Adv.

Mr. K. V. Mohan, Adv.

Mr. R.S. Hegde, Sr. Adv.

Ms. Farhat Johan Rehmani, Adv.

Mr. Chandra Prakash, Adv.

Mr. Shanti Prakash, Adv.

Mr. Rajeev Singh, Adv.

Mr. Venkateshwar Rao Anumolu, Adv.

Mr. H.K. Naik, Adv.

Mr. Prabhakar Parnam, Adv.

Mr. Shashwat Goel, Adv.

Mr. Guntur Prabhakar, Adv.

Ms. Prerna Singh, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

The civil appeals as well as special leave petition are  
dismissed in terms of the Signed order.

Application(s) pending, if any, shall stand disposed of  
accordingly.

(Ashwani Thakur)

COURT MASTER

(Signed order is placed on the file)

(Tapan Kr. Chakraborty)

COURT MASTER