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C.R.P.No.3029 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

CORAM

RESERVED ON :	07.04.2026
PRONOUNCED ON :	30.04.2026

**THE HON'BLE MR.JUSTICE K.KUMARESH BABU**

**C.R.P.No.3029 of 2021**

**and**

**W.P.Nos.16648 of 2019 & W.P.Nos.19015 OF 2019**

**and**

**W.M.P.Nos.8748 of 2022, 16277 of 2019, 18355 of 2019 & 18357 of 2019**

**CRP No. 3029 of 2021**

1. G.Selvaraj(Died)
2. G.Parvathy Kutty

Petitioner -2 brought on record as LRs of the deceased Sole petitioner viz G.Selvaraj vide court order dated 06.04.2022 made in CMP No.6051 of 2022 in CRP.No.3029 of 2021.

..Petitioner(s)

Vs

1. The Regional Transport Authority  
Pollachi Region,  
At Coimbatore.
2. G. Vijayakumar

..Respondent(s)

**Prayer in CRP No. 3029 of 2021:**

Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the order of the State Transport Appellate



Tribunal, Chennai made in M.V.Appeal No.11 of 2021 dated 10-12-2021 confirming the order of the Regional Transport Authority, Pollachi Region @ Coimbatore R.No.7908/A2/2018 dated 24-03-2021 and allow the above CRP.

For Petitioner(s) : Mr.M.Krishnappan (Senior Counsel)  
For M/s.Swarnalatha Ramachandran

For Respondent(s) : Mr.M.Murali  
Government Advocate (For R1)

Mr.G.Vijayakumar  
(party-in-person) (For R2)

**WP No. 16648 of 2019:**

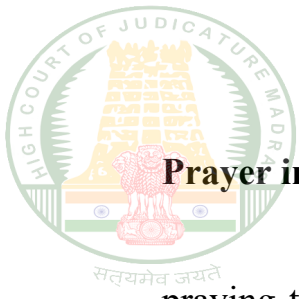
1. G.Selvaraj (Deceased)
2. G.Parvathy Kutty  
W/o.Late G.Selvaraj, 69/24, Ramakrishnapuram  
Street, Pollachi 642 001.  
(P2 substituted as the LR of the deceased P1,  
G.Selvaraj, vide order dated 08.04.2022 in  
W.MP.NO.8261 OF 2022 IN WP.NO.16648  
OF 2019)

..Petitioner(s)

Vs

1. The Regional Transport Authority,  
Pollachi @ Coimbatore Coimbatore.
2. The Secretary,  
Regional Transport Authority, Pollachi.
3. G.Vijayakumar,
4. Tmt.Dhanalakshmi Sridar

..Respondent(s)



**Prayer in WP No. 16648 of 2019:**

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 1st respondent dated 30.05.2019 made in R. No.7908 / A2/ 2018 and to quash the same and consequently direct the 1<sup>st</sup> and 2<sup>nd</sup> respondents to transfer the permit from the name of the deceased permit holder to and in favour of the writ petitioner herein in respect of the vehicle TN-41/ R-8343 covered by the permit “Pollachi to Dharapuram” with IST Pollachi and Coimbatore.

For Petitioner(s) : Mr.M.Krishnappan (Senior Counsel)  
For M/s.Swarnalatha Ramachandran

For Respondent(s) : Mr.M.Murali  
Government Advocate (For R1 & R2)

Mr.G.Vijayakumar  
(party-in-person) (For R3)  
For R4 – No appearance

**WP No. 19015 of 2019**

G.Vijayakumar

..Petitioner(s)

Vs

1. The Collector  
Regional Transport Authority,  
Coimbatore 641 018, Coimbatore District.
2. The Regional Transport Officer  
Pollachi-642 001
3. G. Selvaraj(Died)
4. Dhanalakshmi
5. S.Parvathy
6. S.Sasisharan
7. G.Sathish  
(R5 to R7 are substituted as Lrs of Deceased  
Third respondent vide order dated 07.04.2026



made in W.M.P.No.8748/2022 in  
W.P.No.19015/2019)

..Respondent(s)

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**Prayer in WP No. 19015 of 2019:**

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the entire records pending on the file of the respondent in pursuant of the impugned order bearing R.No.7908/A2/2018 dated 30.05.2019, on the file of the 1<sup>st</sup> respondent in so as the same rejects the petitioner's prayer for issuance of the joint R.C book and the permit and quash the same.

For Petitioner(s) : Mr.G.Vijayakumar  
(party-in-person)

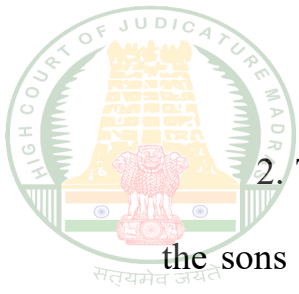
For Respondent(s) : Mr.M.Murali  
Government Advocate (For R1 & R2)

Mr.M.Krishnappan (Senior Counsel)  
For M/s.Swarnalatha Ramachandran  
(For proposed respondents)

R3 – Died

**COMMON JUDGMENT**

The Civil Revision Petition in C.R.P.No.3029 of 2021 is against the rejection of renewal of permit of a stage carriage plying on the route Pollachi and Dharapuram, with independent shuttle trips between Pollachi and Coimbatore.



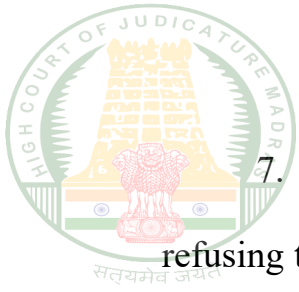
2. The writ petitions in W.P.Nos.16648 and 19015 of 2019 were filed by the sons of the deceased permit holder for transfer of permit of the said stage carriage in their names.

3. For better understanding, the parties are referred to on the basis of the rank in the civil revision petition.

4. A *lis* had arisen between the parties, and the second respondent had instituted a suit for partition, wherein a preliminary decree had been passed. In respect of the bus and its permit, the second respondent had been held to be entitled to 1/7th share in the bus together with the permit and also for accounts and income with regard to his 1/7th share.

5. Appeal suits have been filed both by the second respondent and the father of the petitioner in appeal suits in A.S. Nos.1046 and 1075 of 2012, in which an interim order, restraining passing a final decree alone had been made.

6. In the interregnum, the permit holder, namely the father of the petitioner and the second respondent, had died, and applications had been taken out for renewal of permit and also for transfer of permit in their names. The appeal suits are still pending adjudication before this Court.



7. A perusal of the order passed by the Regional Transport Authority, refusing to renew the permit would show that both the petitioner and the second respondent had taken out applications for renewal of permit, and the Regional Transport Authority had rejected their request and directed them to stop plying the vehicle on the route with immediate effect.

8. Aggrieved by the same, the petitioner alone had filed an appeal before the State Transport Appellate Tribunal, which was also contested by the second respondent. The second respondent had not independently challenged the rejection of his renewal application.

9. On a perusal of the order passed by the Regional Transport Authority, it would indicate that, as the final decree had not been passed in the partition suit, and no specific relief had been specifically granted in favour of the respective parties, and as the parties were not willing to come to an amicable settlement and the dispute has not been settled between the parties, the Authority had rejected their claim.

10. On the other hand, the Appellate Tribunal, which order is impugned herein, had gone a step ahead and had held that as the parties had not applied for transfer of permit within a period of three months from the date of death of the deceased permit holder, the permit had expired, and therefore, the permit which



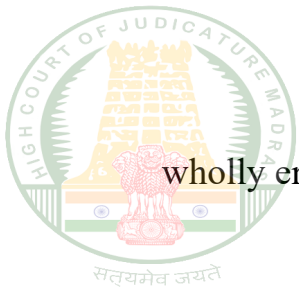
had expired in the year 2018 on the death of the deceased permit holder cannot be sought to be renewed on the basis of an application made after three years, and hence rejected the claim of the revision petitioner.

11. It is an admitted fact that the permit was valid from 16.03.2016 till 15.03.2021, and applications had been made by both the parties in the month of February 2021, i.e., more than 15 days prior to the expiry of permit as mandated under the Motor Vehicles Act.

12. As already found, a preliminary decree had been passed in favour of the second respondent with regard to 1/7th share in the permit, which would mean that the remaining 6/7th share is vested with the permit holder, the petitioner, and other legal heirs of the deceased permit holder.

13. It is also brought on record that even during the pendency of the suit, the deceased permit holder had bequeathed the permit in favour of the petitioner. It is for the petitioner to work out his rights under the Will in the manner known to law, as the permit had become contentious permit with regard to its inheritance, as permit is a property, which can be transferred and inherited.

14. The finding of the Tribunal that the permit dies on the death of the permit holder, as no application had been filed for transfer within the required time, is



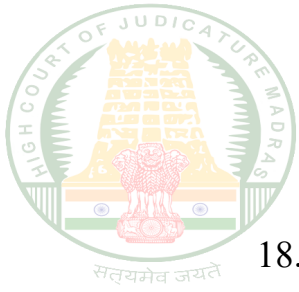
wholly erroneous, and on that ground, the entire order is liable to be set aside.

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15. Considering the fact that the second respondent had failed to challenge the rejection of the renewal of permit, his claim for transfer of permit in his name also cannot be entertained at the present stage, especially when, even under the preliminary decree, he has been given only 1/7th share in the permit and the bus.

16. In such circumstances, this Court is of the view that the permit, which is a property, is liable to be renewed by the authority, and considering the fact that it is only the petitioner who had challenged the order of rejection of permit by the Regional Transport Authority, he would be entitled to get the permit renewed and transferred in his name, which, however, shall be subject to the result of the appeal suits pending disposal before this Court.

17. For the aforesaid reasons, the Civil Revision Petition stands allowed, and the order passed by the State Transport Appellate Tribunal, Chennai made in M.V.Appeal No.11 of 2021 dated 10-12-2021 confirming the order of the Regional Transport Authority, Pollachi Region @ Coimbatore R.No.7908/A2/2018 dated 24-03-2021 are set aside. Consequently, a direction is issued to the Regional Transport Authority, Pollachi Region, Coimbatore, to renew the permit in the name of the petitioner.



18. In view of the orders passed in the Civil Revision Petition, the writ petition filed in W.P.No.16648 of 2019 stands allowed and the writ petition filed in W.P.No.19015 of 2019 stands dismissed, however, subject to the result of the judgment and decree to be made in A.S.Nos.1046 & 1075 of 2012. No costs. Consequently, connected miscellaneous petitions are closed.

**30-04-2026**

Index: Yes  
Speaking order  
Neutral Citation: Yes  
kak

To

1. The State Transport Appellate Tribunal, Chennai.
2. The Regional Transport Authority,  
Pollachi Region @ Coimbatore.
3. The Secretary,  
Regional Transport Authority, Pollachi.
4. The Collector  
Regional Transport Authority,  
Coimbatore 641 018, Coimbatore District.
5. The Regional Transport Officer  
Pollachi-642 001.



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**K.KUMARESH BABU J.**

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**C.R.P.No.3029 of 2021  
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W.P.Nos.16648 of 2019 & W.P.Nos.19015 OF 2019  
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For M/s.Swarnalatha Ramachandran

For Respondent(s) : Mr.M.Murali  
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Mr.G.Vijayakumar  
(party-in-person) (For R2)

**WP No. 16648 of 2019:**

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4. G.Parvathy Kutty  
W/o.Late G.Selvaraj, 69/24, Ramakrishnapuram  
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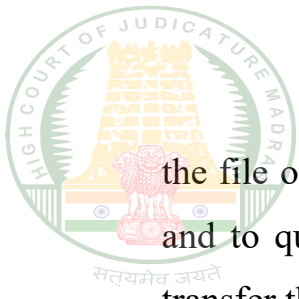
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For R4 – No appearance

**WP No. 19015 of 2019**

G.Vijayakumar

..Petitioner(s)

Vs

8. The Collector  
Regional Transport Authority,  
Coimbatore 641 018, Coimbatore District.

9. The Regional Transport Officer  
Pollachi-642 001

10.G. Selvaraj(Died)

11.Dhanalakshmi

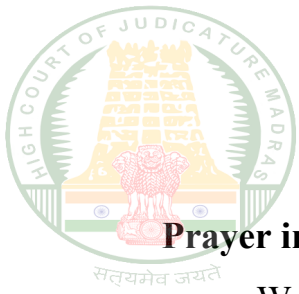
12.S.Parvathy

13.S.Sasisharan

14.G.Sathish

(R5 to R7 are substituted as Lrs of Deceased  
Third respondent vide order dated 07.04.2026  
made in W.M.P.No.8748/2022 in  
W.P.No.19015/2019)

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Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the entire records pending on the file of the respondent in pursuant of the impugned order bearing R.No.7908/A2/2018 dated 30.05.2019, on the file of the 1<sup>st</sup> respondent in so as the same rejects the petitioner's prayer for issuance of the joint R.C book and the permit and quash the same.

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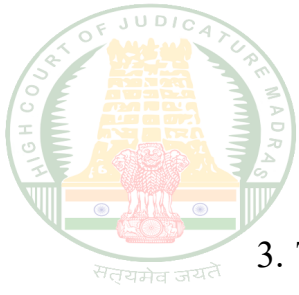
Mr.M.Krishnappan (Senior Counsel)  
For M/s.Swarnalatha Ramachandran  
(For proposed respondents)

R3 – Died

**Common order**

After pronouncement of the orders, the learned Senior Counsel appearing on behalf of the petitioner in the civil revision petition would submit an interim order had been granted to continue renewal of the permit and that the same may be continued till disposal of the application.

2. Since a positive order has been passed in the civil revision petition, directing renewal, the same shall be made forthwith on receipt of the order and the petitioner is permitted to continue running the bus.



3. The Regional Transport Authority, Pollachi Region, Coimbatore, shall

not wait for the certified copy of the order and shall pass appropriate orders on production of the web copy of the order.

**30-04-2026**

Index: Yes/No  
Speaking/Non-speaking order  
Neutral Citation: Yes/No  
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To

1. The State Transport Appellate Tribunal, Chennai.
2. The Regional Transport Authority,  
Pollachi Region @ Coimbatore.
3. The Secretary,  
Regional Transport Authority, Pollachi.
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Regional Transport Authority,  
Coimbatore 641 018, Coimbatore District.
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**K.KUMARESH BABU J.**

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**30-04-2026**