

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2015

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.17541 of 2015

P.S.Srikanth

.. Petitioner

-vs-

1. The Licensing Authority, RTO - Chennai South
Tiruvanmiyur
Chennai 600 041

2. The Regional Transport Officer
Tiruvanmiyur
Chennai 600 041

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, to call for the records pertaining to the rejection of the petitioner's application duly applied for the issue of license to drive a motor cycle with gear dated 11.06.2015 by the Licensing Authority, Tiruvanmiyur, Chennai 600 041 the first respondent and quash the same and direct the respondents to issue license to drive a motor cycle with gear as per the petitioner's application dated 11.06.2015.

For Petitioner :: Mr.D.Ashok Kumar

For Respondents :: Mr.R.Lakshmi Narayanan
Additional Government Pleader

ORDER

This writ petition has been filed by Mr.P.S.Srikanth challenging the order of rejection of the petitioner's application dated 11.6.2015 for issuance of a license to drive the motor cycle with gear by the Licensing Authority, Tiruvanmiyur, to quash the same with a direction to the respondents to issue a license to drive the motor cycle with gear.

2. The petitioner applied for issue of a license to drive the motor cycle with gear in Form IV on 11.6.2015 along with the payment of Rs.350/- as service charges to undergo the driving test vide Receipt No.N7020092. It is also claimed that the petitioner has been holding old temporary licenses. As they have not been renewed, he has applied for the issue of license afresh on 11.6.2015. Subsequently,

when he has participated in the test on 11.6.2015 to the category of motor cycle with gear, after completion of his test, the authorities have made an endorsement as 'passed' on the top of his application. Thereafter, when he visited the office of the respondents on the next day, he was informed that he failed in the test, therefore, he has come to this Court.

3. On taking instructions, the learned Additional Government Pleader for the respondents, placing on record the communication dated 23.6.2015 made in R.No.31489/C1/2015, stated that if the petitioner is aggrieved by the action of the Regional Transport Officer, who is the licensing authority, he can appeal before the second respondent/the Regional Transport Officer, Tiruvanmiyur.

4. Recording the above said statement of the learned Additional Government Pleader, this Court directs the petitioner to file appeal and appear before the second respondent/the Regional Transport Officer, Tiruvanmiyur, within one week from the date of receipt of a copy of this order and on filing appeal and on such appearance, the said authority shall consider the appeal and do the needful as per law. The writ petition stands disposed of accordingly. Consequently, M.P.No.1 of 2015 is closed. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

ss
To

1. The Licensing Authority/
Regional Transport Officer - Chennai (South)
Tiruvanmiyur
Chennai 600 041

2. The Regional Transport Officer
Tiruvanmiyur
Chennai 600 041.

1 cc to M/s.D.Ashok Kumar , Advocate Sr.No.31074

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gp(co)
pmk.2.7.2015