

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2015

CORAM:

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.27527 of 2015 and connected M.Ps.

Packia Driving School
Rep by its Proprietor
Mr. V.Packiyaraj

... Petitioner

Vs

1. The State of Tamil Nadu
The Chief Secretary,
Home (Transport) Department,
Fort St. George, Chennai-9.

2. The Commissioner of Transport
Chepauk, Chennai-5.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorari calling for the records of the impugned orders of the 1st respondent in G.O.(Ms) No.697 Home (Transport-5) Department, dated 05.08.2010, the consequential order of the 2nd respondent in R.No.22370/H1/2008 dated 17.6.2015 and to quash the same in so far as the petitioners driving school is concerned.

For petitioner : Mr.S.Govindraman

For Respondents : Mr.M.S.Ramesh
Additional Government Pleader

O R D E R

Mr.M.S.Ramesh, learned Additional Government Pleader takes notice for the respondents.

2. This writ petition is filed under Article 226 of the Constitution of India, challenging the order of the 1st respondent dated 05.08.2010 in G.O.Ms.697 Home (Transport-5)

Department and the consequential order of the 2nd respondent dated 17.06.2015, in so far as it relates to the petitioner.

3. This Court in the connected writ petitions in W.P.Nos.19362 of 2015 etc. batch of cases, by a common order dated 15.09.2015, has held as follows:-

"9. Admittedly, this Court passed an order in W.P.No.19157 of 2010 on 27.06.2011, directing the petitioners to submit a representation. The petitioners claim that their Association submitted the representation dated 11.07.2011, which is denied by the respondents. Had it not been true, the respondents should not have allowed the petitioners to conduct the course as on date. In view of the above, these writ petitions are disposed of with a direction to the petitioners to file their representations to the respondents, within a period of two weeks from the date of receipt of a copy of this order and on such representations being submitted by the petitioners herein, the same shall be considered and necessary orders be passed by the respondents, within a further period of four weeks.

10. At this juncture, the learned counsel for the petitioners submitted that the order of status quo granted by this Court may be extended till the disposal of their representations to be given by the petitioners.

11. In view of the above submission made by the learned counsel for the petitioners, status quo already granted by this Court is extended till the disposal of the representations to be filed by the petitioners'..

4. Following the same, this writ petition is also disposed of by directing the petitioner to file their representation to the respondents, within a period of two weeks from the date of

receipt of a copy of this order and on such receipt of such a representation, the same shall be considered and necessary orders be passed by the respondents, within a further period of four weeks thereafter. Till such time, there shall be an order of status quo be maintained. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

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Sub Assistant Registrar

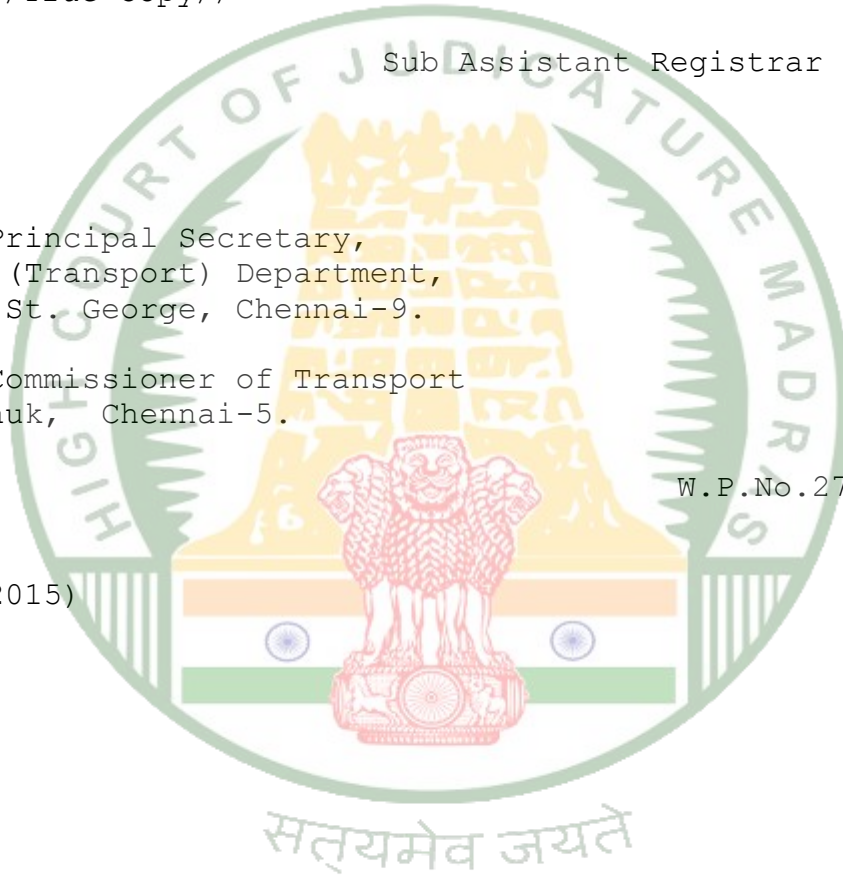
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To

1. The Principal Secretary,
Home (Transport) Department,
Fort St. George, Chennai-9.
2. The Commissioner of Transport
Chepauk, Chennai-5.

W.P.No.27527 of 2015

SAI (CO)
CA(10/12/2015)



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