



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2015

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THE HONOURABLE MR. JUSTICE T. RAJA

W.P. (MD) No. 16087 of 2015
and
M.P. (MD) No. 1 of 2015

Srinivasaragavan : Petitioner

vs.

1. The Appellate Authority,
Joint Transport Commissioner,
18, Dr. Balasundaram Road,
Coimbatore.

2. The Regional Transport Officer,
Regional Transport Office (North),
377, Vellakinar Road,
Cheran Colony, Thudialur,
Coimbatore.

3. The Regional Transport Officer,
Regional Transport Office,
Virudhunagar,
Virudhunagar District.

: Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the impugned order passed by the 2nd respondent in Se.Mu.Anai.No.31855/E2/2015, dated 22.06.2015 and consequently direct the 3rd respondent to renew and return the driving license TN 67 20090002120 to the petitioner within a time limit that may be stipulated by this Court.

For Petitioner : Mr. B. S. Meltue

For Respondents : Mr. T. R. Janarthanan,
Additional Govt. Pleader

O R D E R



respondent herein, the Regional Transport Officer, Regional Transport Office (North), Coimbatore, suspending the licence of the petitioner from 16.05.2015 to 15.11.2015, by exercising his power under Section 19(1) r/w Section 21 of the Motor Vehicles Act, 1988, for having caused a fatal accident, while driving his vehicle.

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2. The petitioner, aggrieved by the impugned order, suspending his licence for the aforesaid period, has preferred an appeal on 10.07.2015, before the Appellate Authority viz., the Joint Transport Commissioner, Coimbatore, the first respondent herein. The grievance of the petitioner is that the appeal has not been disposed of so far by the 1st respondent. In the meanwhile, his driving licence also stood expired on 13.08.2015. In view of the suspension of his driving licence, he is also not able to join duty. Unless the driving licence along with I.D. Card are shown, the petitioner would not be given any employment.

3. Mr.T.R.Janarthanan, learned Additional Government Pleader takes notice for the respondents.

4. Even though the petitioner has sought for larger relief of quashing the impugned order, this Court is of the considered opinion that it would be suffice to direct the 1st respondent to dispose of the petitioner's appeal within a stipulated time. Accordingly, the 1st respondent is directed to consider the appeal filed by the petitioner on 10.07.2015, and pass appropriate orders on the same on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (Writs)

/True Copy/

Sub-Assistant Registrar

To

1. The Appellate Authority,
Joint Transport Commissioner,
18, Dr. Balasundaram Road, Coimbatore.
2. The Regional Transport Officer,
Regional Transport Office (North),
377, Vellakinar Road, Cheran Colony, Thudialur,
Coimbatore.
3. The Regional Transport Officer,
Regional Transport Office, Virudhunagar, Virudhunagar District.
+One cc to Mr. B. S. Meltiue, Advocate, SR.No.51800
+One cc to The Special Government Pleader, SR.No.52143

mpk

RL/6 - 29/9/2015

<https://hcservices.ecourts.gov.in/hcservices/>

W.P. (MD) No.16087 of 2015

04.09.2015