

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2016

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.13667 of 2016

and

W.M.P.Nos.11954 & 11955 of 2016

Kalki Driving School
rep by its Proprietor A.C.Ragupathi,
No.32, Udayar Complex,
Kalki ITI Building,
Omalur, Salem District - 636 455. Petitioner

Vs.

1. The State of Tamil Nadu
rep by its Principal Secretary,
Home (Transport - 5) Department,
Fort St.George, Chennai - 600 009.
2. The Transport Commissioner,
Chepauk, Chennai - 5. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorari to call for the records relating to the order of the 1st respondent dated 05.08.2010 in G.O.(Ms).No.697, Home (Transport - 5) Department and consequential order of the 2nd respondent dated 17.06.2015 in R.No.22370/H1/2008 and to quash the same only insofar as it relates to the petitioner.

For Petitioner : Mr.V.R.Annagandhi

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

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of certiorari to call for the records relating to the order of the 1st respondent dated 05.08.2010 in G.O.(Ms).No.697, Home (Transport - 5) Department and consequential order of the 2nd respondent dated 17.06.2015 and to quash the same only insofar as it relates to the petitioner.

2.The learned counsel for the petitioner submitted that the issue involved in the present writ petition is covered by the decision of this Court made in W.P.Nos.19362 of 2015 etc., batch dated 15.09.2015. In the said order, this Court passed the following order:

"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."

3.Mr.M.S.Ramesh, learned Additional Government Pleader taking notice for the respondents submitted that the relief sought for in the Writ Petition is covered by the decision of this Court made in W.P.No.19362 of 2015 etc., batch dated 15.09.2015.

4.Following the order passed in the said batch of Writ Petitions, the present Writ Petition is disposed of with a direction to 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 representation being submitted by the petitioner, the same shall be considered and necessary orders be passed by the respondents within a period of four weeks thereafter. There shall be an order of Status quo till the disposal of the representation by the respondents.

5.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary,
State of Tamil Nadu,
Home (Transport - 5) Department,
Fort St.George, Chennai - 600 009.
2. The Transport Commissioner,
Chepauk, Chennai - 5.

+1cc to Mr.V.R.Annagandhi, Advocate, S.R.No.23097
+1cc to the Government Pleader, S.R.No.23498

W.P.No.13667 of 2016
and
W.M.P.Nos.11954 & 11955 of 2016

PVS (CO)
CA(25/04/2016)

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