

***THE HON'BLE SRI JUSTICE SANJAY KUMAR***

**WRIT PETITION No.5274 of 2016**

**ORDER:**

The prayer of the petitioner in this case is as under:

“It is therefore prayed that this Hon'ble Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the 4<sup>th</sup> respondent herein in not counter-signing the Form-V driving certificates of the candidates who undergone training in petitioner's driving school on vehicles bearing Nos.AP-28-TB-3810 and AP-28-TB-3814 of batch 08.01.2016 to 08.02.2016 as illegal, arbitrary and contrary to the provisions of Motor Vehicles Act and Central Motor Vehicle Rules and consequently direct the 4<sup>th</sup> respondent to forthwith counter-sign the Form-V certificates and pass such other order or orders as are deem fit and proper in the circumstances of the case.”

Sri B.Chandrasekhar, learned counsel for the petitioner, would assert that the petitioner's application dated 09.02.2016 is pending consideration before the authority concerned and that the same needs to be disposed of in terms of the Circular Memo No.33/1345/B1/1996 dated 27.09.1996 issued by the Transport Commissioner, Andhra Pradesh, Hyderabad.

As the authority concerned is yet to apply its mind and take a decision in the matter, this Court sees no reason to entertain this writ petition for adjudication on merits.

The Writ Petition is accordingly disposed of directing the Regional Transport Officer, Ibrahimpatnam, Ranga Reddy District, the fourth respondent, to consider the petitioner's application dated 09.02.2016 in the light of the Circular Memo and take appropriate action thereon in accordance with law. This entire exercise shall be completed expeditiously and in any event, not later than two weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall also stand closed in the light of this final order. No order as to costs.

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**JUSTICE SANJAY KUMAR**

21.04.2016

**Note:-**

Furnish CC by 25.04.2016.

(B/o) GJ