

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.23690 of 2017 and
W.M.P.No.24890 of 2017

K.Hemamalini

... Petitioner

Vs.

1.The Regional Transport Officer,
Thiruvannamalai,
Thiruvannamalai District.

2.State by
Inspector of Police,
Chengam Police Station,
Thiruvannamalai District.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorari calling for the records pertaining to the issuance of the memo having reference E2/58936/2017 dated 29.08.2017 issued by the 1st respondent and quash the same.

For Petitioner : Mr.Rajarajan for Mr.E.P.Senniyangiri

For Respondent : Mr.R.Venkatesh,
Government Advocate

O R D E R

Mr.R.Venkatesh, learned Government Advocate takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

2.The petitioner has filed the above Writ Petition to issue a writ of certiorari calling for the records pertaining to the issuance of the memo dated 29.08.2017 issued by the 1st respondent and quash the same.

3.On a perusal of the impugned memo dated 29.08.2017, it could be seen that the 1st respondent has called for an explanation from the petitioner with regard to the averments stated in the memo.

4.The petitioner has filed the Writ Petition challenging the said show cause notice issued by the 1st respondent, even without giving an explanation as sought for by the 1st respondent.

5.Mr.R.Venkatesh, learned Government Advocate appearing for the respondents submitted that the petitioner may be directed to give her explanation to the impugned show cause notice and in such event, the 1st respondent may be directed to consider the same.

6.Having regard to the submissions made by the learned counsel on either side, since the petitioner has only challenged the show cause notice dated 29.08.2017, I do not find any reason to interfere with the said notice. In these circumstances, the Writ Petition is dismissed. However, I give liberty to the petitioner to file her explanation before the 1st respondent within one week from the date of receipt of a copy of this order and on receipt of the same, the 1st respondent shall pass suitable orders after considering the explanation to be given by the petitioner, in accordance with law, within a period of three weeks from the date of submission of the explanation. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Regional Transport Officer,
Thiruvannamalai,
Thiruvannamalai District.

2.State by
The Inspector of Police,
Chengam Police Station,
Thiruvannamalai District.

+ 1 cc to Government Pleader Sr.64105

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KJ(CO)
Eu 15.09.17