

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.29920 of 2017

Date: 19-09-2017.

BETWEEN:

K. Gnaneshwar

...Petitioner.

AND

The State of Telangana,
Rep by its Principal Secretary,
Transport Department,
Telangana Secretariat,
Hyderabad others.

...Respondents.



THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.29920 of 2017

ORDER:

This writ petition is filed under the following relief:

“.....to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, questioning the action of the 2nd respondent RTA in issuing vague notice dated 30.08.2017 without disclosing the correct provisions of clauses and without attracting the ingredients of Sections 19 & 21 of the M.V Act 1988 is without power or authority is illegal and void and opposed to Articles 14, 19 and 21 of the Constitution of India and consequently to direct the respondents to return the original driving license bearing No. 5244/HW/19910D of the petitioner forthwith and not to interfere with the cancellation or suspension of petitioner license without due process of law.”

2. Heard the learned counsel for the petitioner and the learned Government Pleader for respondent – Telangana State Road Transport Corporation.

3. Petitioner herein is a driver in Telangana State Road Transport Corporation and according to him, he has a license bearing No.5244/HW/19910D, dated 27-12-1987 and the same is valid up to 14-02-2020. Followed by registration of a Crime No.67 of 2017, on the file of Alampur Police Station, East Godavari District, the 3rd respondent issued a show cause notice bearing Appln.No.TS013/40075/2017/L, dated 30-08-2017, to show cause as to why, the license of the petitioner should not be suspended under Section 19 of the Motor Vehicles Act, 1988. In response to the same and according to the petitioner, he submitted explanation dated 31-08-2017, disputing the very validity of the action impugned. According to the petitioner, the

said explanation is pending consideration before the third respondent.

4. Having heard the learned counsel for the petitioner and learned counsel for the respondents, this Court, in the facts and circumstances of the case, deems it appropriate to dispose of the writ petition, directing the third respondent to pass orders pursuant to the show cause notice bearing Appln.No.TS013/40075/2017/L, dated 30-08-2017, after considering the explanation dated 31-08-2017 said to have been submitted by the petitioner herein, within a period of two weeks from the date of receipt of a copy of this order. No costs.

5. Miscellaneous petitions pending consideration, if any, in this Writ Petition, shall stand closed in consequence.

Date: 19.09.2017

Note: Furnish CC within two days.

B/O
mrb

JUSTICE A.V.SESHA SAI