

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2018

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.1462 of 2018

and

W.M.P.Nos.1866 & 1867 of 2018

S.Nawab John

Proprietor: Jony Driving School,
Thuriayur Road, Kalarampatti Village,
Perambalur District.

... Petitioner

vs.

1. The State of Tamil Nadu,
rep. By its Principal Secretary,
Home (Transport) Department,
Fort St.George,
Chennai - 9.

2. The Commissioner of Transport,
Chepauk,
Chennai - 5

3. The Regional Transport Officer,
Perambalur District.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari to call for the records of 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 quash the same only insofar as it relates to the petitioner is concerned.

For Petitioner : Mr.K.Hariharan

For Respondents : Mr.B.Anandan

Government Advocate.

ORDER

The petitioner is aggrieved by the order issued by the first respondent in G.O.Ms.No.697, Home (Transport-5) Department dated 05.08.2010 and consequential order of the second respondent dated 17.06.2015. The issue involved in this case pertains to conducting of the training programmes to the driving schools, which is restricted by the impugned Government Order only to the

Government Institutions, not to the Private Institutions.

2. Both sides submitted that the said issue was considered by this Court in similar writ petition and an order was passed directing the petitioner therein to give a representation to the respondents and consequently directing the respondents to pass orders on such representation. One such order passed in WP.No.38850 of 2016 dated 08.11.2016 is placed before this Court. It is further seen from the said order that an order of status quo was also granted in favour of the petitioner therein, till the disposal of the representation, to be filed by the petitioner therein. Both sides agreed that the same order can be passed in this matter also.

3. Accordingly, this writ petition is disposed of, by granting liberty to the petitioner to give a representation to the respondents within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents shall consider the same and pass orders within a period of four weeks thereafter. Till an order is passed in the said representation, the respondents shall maintain status quo as on today. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Principal Secretary,
Home (Transport) Department,
Fort St.George,
Chennai - 9.

2. The Commissioner of Transport,
Chepauk,
Chennai - 5

3. The Regional Transport Officer,
Perambalur District.

+lcc to Mr.K.Hariharan, Advocate Sr.No.5365
+lccm to Government Pleader Sr.o.5844

sm:29.1.2018

W.P.No.1462 of 2018