

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 12.10.2018
CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR

W.P. 26977 of 2018

S.Vadivel

... Petitioner

-Versus-

1. The Transport Commissioner,
Chepauk,
Chennai-600 005.
2. The Assistant License Issuing Authority,
Vellore Regional Transport Office,
Vellore Dt.
3. The Regional Transport Officer,
Sriperumbudur Regional Transport Office,
Kanchipuram Dt.
4. The Inspector of Police,
Sriperumbudur Police Station,
Kanchipuram Dt.
5. The Branch Manager,
Tamil Nadu State Transport Corporation,
Vellore Depot, Vellore Dt.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to return the petitioner's driving license in D.L.No.TN23 1995 0000216 and enable him to join and continue his service in the 5th respondent Transport Corporation by considering his reply dated 29.09.2018.

For Petitioner : Mr.A.Rajesh Kanna
For Respondents : Mrs.S.Ramya Revathi
Government Pleader

ORDER

This writ petition has been filed for issuing Writ of Mandamus directing the respondents 1 to 4 to return the petitioner's driving license by considering his representation dated 29.09.2018.

2. In the affidavit filed in support of the Writ Petition, it is stated that the respondents have miserably failed to follow the mandatory procedures prescribed under Sec.19(1) of Tamil Nadu Motor Vehicles Act.

3. The learned counsel appearing for the respondents submitted that they have passed the proceedings dated 17.09.2018, viz., an order under Sec.19 of the Motor Vehicles Act suspending the license for the period of six months by way of punishment.

4. The learned counsel appearing for the petitioner submitted that he is surprised to receive the order passed by the 1st respondent and contended that the order is not served on the petitioner. It is further submitted that the order passed by the Regional Transport Officer is not served to the petitioner and no notice was issued to the petitioner before passing the order.

5. In the said circumstances, liberty is given to the petitioner to challenge the order that is passed by the Regional Transport Officer on 17.09.2018 under Sec. 19 of the Motor Vehicles Act. Thus, this Writ Petition is dismissed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The Transport Commissioner,
Chepauk,
Chennai-600 005.
2. The Assistant License Issuing Authority,
Vellore Regional Transport Office,
Vellore Dt.
3. The Regional Transport Officer,
Sriperumbudur Regional Transport Office,
Kanchipuram Dt.
4. The Inspector of Police,
Sriperumbudur Police Station,
Kanchipuram Dt.

5.The Branch Manager,
Tamil Nadu State Transport Corporation,
Vellore Depot, Vellore Dt.

+1cc to Mr.A.Rajesh Kanna, Advocate, S.R.No.71302
+1cc to the Government Pleader, S.R.No. 71475

W.P. 26977 of 2018

rrs 30/10/2018



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