

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.07.2019

Coram:

THE HON'BLE DR. JUSTICE G. JAYACHANDRAN

Writ Petition No.21205 of 2019
and
W.M.P.No.20412 and 20413 of 2019

D.S.Sankar

.. Petitioner

/versus/

1.The Regional Transport Officer,
Transport Department,
Krishnagiri.

2.The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings passed in Se.Mu.Order No.B2/22097/19, dated 01.07.2019 on the file of the 1st respondent herein, quash the same and consequently direct the respondents herein to return the driving license of the petitioner bearing No.TN29Z 1985 0000076 forthwith him.

For Petitioner :Mr.M.Marudhachalam

For Respondents:Mrs.P.Rajalakshmi, AGP

ORDER

By consent, the main writ petition itself is taken up for final disposal at the admission stage itself.

2. Heard Mr.M.Marudhachalam, learned counsel appearing for the petitioner and Mrs.P.Rajalakshmi, learned Additional Government Pleader, who takes notice on behalf of the respondents.

3.The prayer in the writ petition is to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings passed in Se.Mu.Order No.B2/22097/19, dated 01.07.2019 on the file of the 1st respondent herein, quash the

same and consequently direct the respondents herein to return the driving licence of the petitioner bearing No.TN29Z 1985 0000076 forthwith him.

4.Though this Court has come down heavily on the attitude of the some officials, who pass impugned orders mechanically, without applying their mind by filling up the blanks in the printed format kept with them. The 1st respondent herein has passed an order of suspending the driving licence of the petitioner bearing No.TN29Z 1985 0000076 for a period of six months without applying his mind and considering the explanation given by him, vide, letter dated 10.06.2019. On the face of the documents, the non application of mind is reflected, besides there is no discussion about the explanation given by the petitioner.

5. In such circumstances, this Court has no hesitation to quash the impugned order dated 01.07.2019 passed by the 1st respondent. Accordingly, the impugned order passed by the 1st respondent dated 01.07.2019 is quashed. The 1st respondent is directed to restore the licence of the petitioner herein and conduct de-novo enquiry afresh and pass orders, after applying his mind.

6. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (Insp Cell)

//True Copy//

Sub Assistant Registrar

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To:

1.The Regional Transport Officer,
Transport Department,
Krishnagiri.

2.The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri.

+1cc to Mr.M.Marudhachalam, Advocate, S.R.No.60969

W.P.No.21205 of 2019

and

W.M.P.Nos.20412 and 20413 of 2019

VSN II(CO)
GN(19/07/2019)