

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 24.07.2019

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Writ Petition No.21813 of 2019

K.Kanagasabapathi

.. Petitioner

/versus/

The Licensing Authority,
Regional Transport Office(West),
1, Barathidasan Colony,
Mambalam Taluk, Office Complex,
K.K.Nagar, Chennai 600 078.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to provide information to the petitioner as sought for by the petitioner in his letter dated 22.02.2019.

For Petitioner :Mr.Anil Relwant

For Respondents :Mrs.P.Rajalakshmi, AGP

O R D E R

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

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

3.The prayer in the writ petition is to issue a Writ of Mandamus directing the respondent to provide information to the petitioner as sought for by the petitioner in his letter dated 22.02.2019.

4.The case of the petitioner is that he is differently abled person, who lost his left hand in an accident and his permanent disability is assessed at 60%. To get driving license for Light Motor Vehicle he has applied to the respondent on 17.01.2018. Since his application was not considered, earlier he approached this Court in W.P.No.27594 of 2018, this Court has disposed of

the writ petition directing the respondent to consider the application of the petitioner and pass suitable orders. Accordingly, the petitioner has submitted himself for driving test. The respondent herein, after conducting the test, has rejected the learner's license application on 07.02.2019 on the ground that he is unfit to hold learner's license and his request to issue learner's license is not feasible as per Section 8(4) of the Motor Vehicles Act, 1988. In the said circumstances, the petitioner has written a letter to the respondent on 22.02.2019 seeking certain information pertaining to conversion of his Light Motor Vehicle into Invalid Carriage Vehicle.

5. According to the petitioner, the respondent has so far not given adequate information sought, in his letter dated 22.02.2019, which will enable him to convert Light Motor Vehicle being a disabled friendly vehicle. The learned counsel appearing for the petitioner has also enclosed the technical view of the company, which is authorized to modify motor vehicles enabling differently abled person to drive.

6. In such circumstances, it is suffice to direct the respondent herein to consider the representation given by the petitioner herein on 22.02.2019 and provide him information sought in that representation, within a period of four weeks from today.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

The Licensing Authority,
Regional Transport Office(West),
1, Barathidasan Colony,
Mambalam Taluk, Office Complex,
K.K.Nagar, Chennai 600 078.

+1cc to Mr.Anil Relwani, Advocate Sr.64108
+1cc to the Government Pleader Sr.63842

W.P.No.21813 of 2019

kk[co]
srg 10/09/2019