



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2019

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P(MD)No.16286 of 2016

and

W.M.P(MD)Nos.11914 and 11915 of 2016

S.Gomathy

... 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 District Collector / Regional Transport Authority,
Dindigul District,
Dindigul.

4.The Regional Transport Officer,
Dindigul District,
Dindigul.

... Respondents

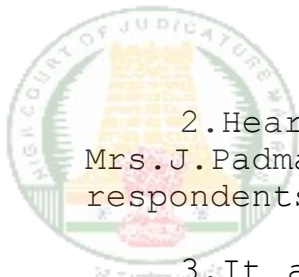
Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorari, to call for the records pertaining to the impugned order of the first respondent dated 05.08.2010 to G.O.Ms.No.697, Home (Transport - 5) Department and the consequential Circular of the second respondent dated 17.06.2005 in R.No.22370/H1/2008.

For Petitioner : Mr.M.Venkatesan

For Respondents : Mrs.J.Padmavathy Devi,
Special Government Pleader.

ORDER

The petitioner challenges G.O.Ms.No.697, Home (Transport - 5) Department and consequential Circular of the second respondent / the Commissioner of Transport, Chepauk, Chennai, dated 17.06.2005.



2. Heard Mr.M.Venkatesan, learned counsel for the petitioner and Mrs.J.Padmavathy Devi, learned Special Government Pleader for the respondents.

3. It appears that this Court in W.P.No.19157 of 2010, by order dated 27.06.2011, has permitted the petitioner to make a representation to the first respondent therein for re-consideration of the conditions imposed on him by way of the impugned Government Order within a period of 15 days from the date of that order. Upon receipt of such representation, the first respondent therein has been directed to consider the same and pass appropriate orders on merits and in accordance with law, as expeditiously as possible. An order of status quo has been granted till the disposal of the representation by the respondents.

4. This order has been followed by subsequent orders in W.P.No.13667 of 2016 dated 13.04.2016 and W.P.Nos.30630 to 30632 of 2015 dated 29.09.2015, permitting the petitioners therein also to make representations.

5. The petitioner before me, in the light of the aforesaid orders, does not pursue the challenge to G.O.Ms.No.697 itself and confines his prayer only for an opportunity for re-consideration of the conditions imposed by G.O.Ms.No.697, dated 17.06.2005. This is recorded.

6. In line with the consistent stand adopted by this Court, the petitioner is permitted to make a representation before the first respondent for re-consideration of the conditions imposed by the impugned Government Order within a period of two weeks from today. Such re-presentation, if filed within the timeline as stipulated aforesaid, shall be considered by the first respondent and necessary orders passed after hearing the petitioner, within a period of four weeks from the date of conclusion of personal hearing.

7. The order of status quo in force presently, stands extended till the date of disposal of the representation to be made by the petitioner before the first respondent.

8. This Writ Petition is disposed of in the aforesaid terms. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)



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Chepauk,
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Dindigul District,
Dindigul.
- 4.The Regional Transport Officer,
Dindigul District,
Dindigul.
- +1 CC to M/s.M.VENKATESAN, Advocate (SR-82050[F] dated 16/08/2019)

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KK/SAR/04.09.2019/3P-6C/