

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.19415 of 2020 and
W.M.P. Nos. 24003 & 24004 of 2020

M/s. M.K.S. Heavy Driving School,
Proprietor K. Kumaravel
No.10, Mahatma Gandhi Nagar,
Sriperumbudur, Kanchipuram 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. Regional Transport Officer,
Sriperumbudur, Kanchipuram District.

....Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Certiorari, calling for 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 17.6.2015 in R.No.22370/H1/2008 and quash the same only in so far as it relates to the petitioner is concerned.

For Petitioner : Mr.K. Hariharan

For Respondents: Mr. K. Parameswaran

Govt. Advocate - R1 to R3

O R D E R

Mr.K.Parameswaran, learned Government Advocate takes notice for the respondents.

2. The petitioner has filed the above Writ Petition to issue a Writ of Certiorari to call for 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 17.6.2015 and to quash the same only in so far as it relates to

the petitioner is concerned.

3. Mr.K.Hariharan, learned Counsel appearing for the petitioner submitted that this court on the earlier occasion disposed of W.P.No.7143 of 2016, by order dated 26.02.2016, by directing the petitioner to submit a representation to the respondents within a period of two weeks from the date of receipt of a copy of that order and on receipt of such representation, directed the same shall be considered and necessary orders be passed by the respondents, within a period four weeks thereafter. Further, this court, directed the respondents to maintain status quo till such time.

4. The learned counsel on either side submitted that the same order shall be passed in this Writ Petition also.

5. Having regard to the submissions made by the learned counsel on either side, following the orders passed in the said writ petition, the present writ petition is disposed of by directing the petitioner to submit a representation to the respondents within a period of two weeks from the date of receipt of a copy of this order and on receipt of such representation, the same shall be considered and necessary orders be passed by the respondents, within a period four weeks thereafter. Till such time, there shall be an order of status quo to be maintained. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS III)

//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. Regional Transport Officer,
Sriperumbudur, Kanchipuram District.

+1cc to Mr.K.Hariharan, Advocate, S.R.No.42443

W.P.No.19415 of 2020 and
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rr ii (29/12/2020)