



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :20.07.2021

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.12253 of 2021

(Through Video Conference)

WEB COPY

Iyappan

... Petitioner

Vs.

1.The Secretary,
Regional Transport Authority,
Tirunelveli District.

2.The Regional Transport Officer,
Unit Office at Valliyur,
No.12-A, Earvadi Main Road,
Valliyur,
Tirunelveli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the second respondent herein to dispose of the petitioner's driving licence badge endorsement application (No.1728988818) dated 24.07.2018 forthwith.

For Petitioner : Mr.N.S.Ramakrishna Dass
For Respondents : Mr.S.Shanmugavel,
Government Advocate

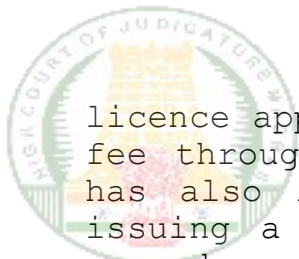
O R D E R

Mr.S.Shanmugavel, learned Government Advocate accepts notice on behalf of the respondents.

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

3. This writ petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, directing the second respondent herein to dispose of the petitioner's driving licence badge endorsement application (No.1728988818) dated 24.07.2018 forthwith.

4. The learned counsel for the petitioner would state that the petitioner got a light motor vehicle licence from the second respondent dated 10.07.2017, bearing No.TN 72 V 2017005906. Subsequently, the petitioner submitted an application for heavy transport vehicle badge endorsement in the petitioner's driving



licence application No.172898818 dated 24.07.2018 and paid necessary fee through online. While the matter stood thus, Valliyur police has also issued 'No Objection Certificate' dated 10.09.2020, for issuing a driving licence badge to the petitioner. However, the second respondent orally stating that one criminal case is pending against the petitioner, has not issued the badge endorsement. Immediately, the petitioner has produced the case details stating that the criminal case ended in compromise in CrI.O.P(MD)No.394 of 2020, dated 09.01.2020 and thereafter, the learned Judicial Magistrate, Valliyoor, discharged the petitioner from the charges levelled in P.R.C.No.48 of 2018, dated 16.07.2020 and therefore, as on date, no criminal case is pending against the petitioner. Subsequently, the petitioner has made several representations to the respondents praying to issue badge endorsement to the petitioner. However, the request of the petitioner has not been considered so far and therefore, the petitioner prays for appropriate orders.

5. The learned Government Advocate would state that the application of the petitioner would be considered, within a reasonable time.

6. Heard the submissions made on either side and perused the materials available on record.

7. Admittedly, the criminal case has come to an end on 16.07.2020 and petitioner has periodically sent several representations to the respondents to dispose of his application submitted for issuing heavy transport vehicle badge endorsement, dated 24.07.2018. But, the respondents had not disposed of the same till date. Since the criminal case in P.R.C.No.48 of 2018 ended in compromise, I am of view that there will be no impediment on the part of the respondents to consider the application of the petitioner with regard to issuance of badge endorsement.

8. Therefore, the second respondent is directed to dispose of the application No.172898818 submitted by the petitioner, dated 24.07.2018, within a period of seven days from the date of receipt of a copy of this order.

9. With the above direction, the writ petition is disposed of. No Costs.

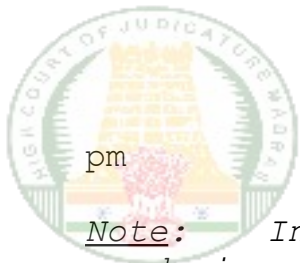
Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

- 1.The Secretary,
Regional Transport Authority,
Tirunelveli District.
- 2.The Regional Transport Officer,
Unit Office at Valliyur,
No.12-A, Earvadi Main Road,
Valliyur,
Tirunelveli District.

+1 CC to M/s.GP (SR-23499[F] dated 22/07/2021)

W.P (MD) No.12253 of 2021
20.07.2021

LS (CO)
LR (30.07.2021) 3P 4C