



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2022

C O R A M

THE HON'BLE MS.JUSTICE V.M.VELUMANI

W.P.No.3691 of 2022

M/s.Paramasivam Driving School
Rep. by its Proprietor S.Paramasivam,
M.N.K Complex, Ayyanar Nagar,
Endathur Road, Madurandagam,
Chengalpet District.

...Petitioner

Vs

1. The Transport Commissioner,
Chepauk,
Chennai - 600 005.
2. The Licensing Authority
Cum Regional Transport Officer,
Chengalpet District.
3. The Motor Vehicle Inspector Grade -1,
Unit Office Madurantakam,
Chengalpet District.

... Respondents

Prayer Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 2nd respondent to consider the application for license in Receipt No.9080108 dated 26.02.2015, pending on the file of the 2nd respondent and directing the 2nd respondent to grant license to the petitioner's driving school and directing the 3rd respondent to permit the petitioner to run the driving school.

For Petitioner : Mr.C.B.Muralikrishnan

For Respondents : Mr.S.Ravikumar
Special Government Pleader

ORDER

This Writ Petition is filed seeking for a direction to the 2nd respondent to consider the application for license in Receipt No.9080108 dated 26.02.2015, pending on the file of the 2nd respondent and directing the 2nd respondent to grant license to



the petitioner's driving school and directing the 3rd respondent to permit the petitioner to run the driving school.

2. By consent of both the learned counsel appearing for the petitioner as well as Mr. S. Ravikumar, learned Special Government Pleader, who takes notice for the respondents, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner has raised various allegation against the 3rd respondent. Mr. S. Ravikumar, learned Special Government Pleader appearing for the respondents submitted that there is a dispute between the landlord and petitioner with regard to the tenancy. Further, as per the Central Motor Vehicles Rules, 1989, the petitioner has to produce a letter from the owner of the building. If the petitioner produces the required documents including No Objection Certificate/letter from the owner of the building, the petitioner's application will be considered on merits.

4. The learned counsel appearing for the petitioner in reply submitted that the petitioner will submit fresh application along with rental agreement and other relevant documents.

5. Recording the submissions of both the learned counsel appearing for the petitioner and the learned Special Government Pleader, the Writ Petition is disposed of by giving liberty to the petitioner to submit a fresh application along with all the documents to the 2nd respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of such application, the 2nd respondent is directed to consider the application for renewal of license within a period of four weeks thereafter. No costs.

Sd/-
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

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To:

1. The Transport Commissioner,
Chepauk,
Chennai - 600 005.



2. The Licensing Authority
Cum Regional Transport Officer,
Chengalpet District.

3. The Motor Vehicle Inspector Grade -1,
Unit Office Madurantakam,
Chengalpet District.

+2ccs to Mr.C.B.Murali Krishnan, Advocate, S.R.No.12517

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NMI (CO)
SU(03/03/2022)