



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.03.2022
CORAM

THE HONOURABLE MR. JUSTICE C.SARAVANAN

WEB COPY

Writ Petition (MD) No.16375 of 2021
and
W.M.P. (MD) No.13228 of 2021

P.Sundari

.. Petitioner

Versus

The Regional Transport Officer,
Regional Transport Office - Madurai North,
Madurai.

.. Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the impugned proceedings vide Na.Ka.No.15917-A4-2020, dated 23.08.2021, on the file of the respondent and quash the same as illegal and devoid of merits.

For Petitioner : Mr.Raja Karthikeyan

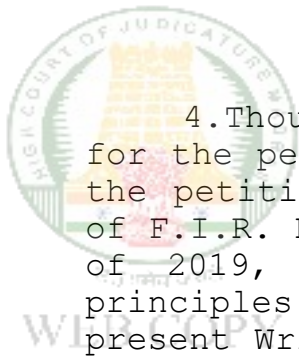
For Respondent : Mr.K.S.Selva Ganesan
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned order, dated 23.08.2021 of the respondent - Regional Transport Officer, suspending the driving school licence issued to the petitioner's Driving School called 'Senthooor Driving School' for a period of six months from 16.09.2021 till 15.03.2022.

2.Though appellate remedy was available to the petitioner under Rule 29 of the Central Motor Vehicle Rules, 1989, the petitioner opted to file the present Writ Petition, on the ground that the impugned order, suspending the driving school licence was illegal and that the petitioner had not violated any of the provisions of the Central Motor Vehicle Rules, 1989 and that the petitioner's husband was noway connected with Crime No.34 of 2019.

3.The learned counsel for the petitioner placed reliance on the decision of a Division Bench this Court in **P.Sethuram vs. The Licensing Authority - The Regional Transport Officer** reported in **2010 (2) MLJ 778**.



4. Though elaborate submissions were made by the learned counsel for the petitioner on the ground that the impugned order suspending the petitioner's driving school licence was made in the background of F.I.R. Registered against the petitioner's husband in Crime No.34 of 2019, dated 29.08.2019 and that there was a violation of principles of natural justice, I do not find any merits in the present Writ Petition, as the order of suspension of Driving School Licence itself was for a period of six months i.e., from 16.09.2021 to 15.03.2022. The period of suspension has come to an end. If the petitioner is still aggrieved by the order suspending the driving school licence, it is open to her to work out the remedy before the appellate authority under Rule 29 of the Central Motor Vehicles Rules, 1989. Under these circumstances, this Writ Petition is disposed of, by giving liberty to the petitioner to file a statutory appeal under Rule 29 of the Central Motor Vehicle Rules, 1989, within a period of 30 days from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Writs)

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/ /2022

Sub Assistant Registrar (CS)

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To

The Regional Transport Officer,
Regional Transport Office - Madurai North,
Madurai.

+1 CC to M/s.SPL GP (SR-14535[F] dated 25/03/2022)

+1 CC to M/s.R.AJA KARTHIKEYAN, Advocate (SR-14797[F] dated 28/03/2022)

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