



W.P(MD).No.19435 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2022

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P(MD).No.19435 of 2022

and

W.M.P.(MD).No.14254 of 2022

Al Madhina Driving School,
Represented by its Proprietor,
Mohammad Mydeen

... Petitioner

Vs.

1.The Deputy Transport Commissioner,
Regional Transport Office,
NGO B Colony,
Vasanthanagar,
Tirunelveli.

2.The Licensing Authority Cum Regional Transport Officer,
Regional Transport Office,
Tirunelveli.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent herein to consider the petitioner's representation dated 01.08.2022 and pass appropriate order to revoke the interim suspension of petitioner's Driving School License within a time stipulated by this Court.



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For Petitioner : Mr.S.Vashik Ali

For Respondents : Mr.S.Kameswaran,
Government Advocate.

ORDER

The petitioner had sent a representation dated 01.08.2022 to the second respondent on 11.08.2022. Since no action taken, the present Writ Petition filed.

2. The petitioner who is running a duly licensed driving school in the name of Al Madhina Driving School, his license temporarily suspended for a period of three months on 24.11.2021. The suspension was on the ground that one Mariappan applied for public driving batch and submitted no objection certificate from the Police. When the same was verified with the Police officials, it was found that no such certificate issued by Police. Thereafter, the petitioner was asked to give explanation for producing forged documents. The petitioner gave written explanation on 20.11.2021 stating that his friend Arjunan submitted the documents which was annexed with the application of Mariappan. The petitioner admitted that he had committed a mistake of not verifying the documents, hence seeks pardon and sought for continuation of his driving school. Finding petitioner had violated the license condition Rule



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28 of the Central Motor Vehicles Act, 1989, his license was suspended for the period of three months. He further submitted that action has been contemplated against Mariappan for producing disputed no objection certificate. As regards the petitioner, nothing is contemplated against him. He further submits that the suspension period gets over by 24.02.2022 and thereafter, the petitioner license suspension was not revoked. Hence, the petitioner preferred a representation dated 01.08.2022. Since no action taken, the present Writ Petition filed.

3. The learned Government Advocate appearing for the respondents submitted that though in the petitioner's representation, the date was mentioned as 01.08.2022, as per the postal receipt it is seen that it was send on 11.08.2022, which was received by the second respondent on 12.08.2022. He further submits that the representation of the petitioner would be considered and disposed of within a period of two weeks.

4. I have considered the matter in the light of the submissions made by learned counsel for the petitioner and learned Government Advocate appearing for the respondents and perused the records.



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5. Recording the same, this Court directs the respondents to consider and dispose of the petitioner's representation dated 1.08.2022 within a period of two (2) weeks from the date of receipt of a copy of this order. Further it is seen that already the petitioner's suspension period of three months is over by 24.02.2022.

6. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

24.08.2022

Index : Yes / No
Internet : Yes/ No
Nsr



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To

- 1.The Deputy Transport Commissioner,
Regional Transport Office,
NGO B Colony,
Vasantha Nagar,
Tirunelveli.
- 2.The Licensing Authority Cum Regional Transport Officer,
Regional Transport Office,
Tirunelveli.



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M.NIRMAL KUMAR, J.

Nsr

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