



W.P.(MD)No.26552 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.26552 of 2022

Balakrishnan

... Petitioner

Vs.

1.The Transport Commissioner,
Government of Tamil Nadu,
Ezhilagam, Chepauk, Chennai-5.

2.The Assistant Transport and
Road Safety Department,
Government of Tamil Nadu,
Ezhilagam, Chepuak, Chennai-5.

3.The Regional Transport Officer,
Tirunelveli, Tirunelvlei District.

4.The Motor Vehicle Inspector Grade-I,
Regional Transport Office,
Tirunelveli, Tirunelveli District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the third respondent to pass appropriate orders regarding issuance of driving license to the



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petitioner on the basis of the documents submitted by the petitioner before the fourth respondent herein in pursuant to the communication in Ku.Aanai.No.48592/E5/2022 dated 30.09.2022 within a time frame fixed by this Court.

For Petitioner : Mr.J.C.Rathnavel Pandian
For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This Writ Petition has been filed to direct the 3rd Respondent to pass appropriate orders regarding issuance of driving license to the petitioner on the basis of the documents submitted by the petitioner before the 4th respondent herein in pursuant to the communication in Ku.Aanai.No. 48592/E5/2022 dated 30.09.2022 within a stipulated time.

2.Mr.M.Siddharthan, learned Additional Government Pleader, takes notice for the Respondents. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.



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3.It is the submission of the learned counsel for the Petitioner that the Petitioner having monocular vision submitted an application before the first respondent seeking driving license based on the proceedings No.RT-11016/03/2017-MBL, issued by the Government of India, Ministry of Road Transport and Highways, New Delhi, dated 21.11.2017. Subsequent to which, the 2nd respondent sent communication to the 3rd respondent, who in turn, sent communication to the 4th respondent to take appropriate steps in this regard on perusing the medical certificate of the petitioner and report the same. The petitioner also approached the 4th respondent and placed the relevant documents before him. But, till date no order was forthcoming. Hence, the petitioner is before this Court with the aforesaid prayer.

4.It is the further submission of the learned counsel for the petitioner that before passing order on his representation, opportunity may be given to the petitioner to furnish documents in support of his claim for issuance of driving license.



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5.The learned Additional Government Pleader for the Respondents submitted that the representation of the Petitioner would be considered after providing the petitioner an opportunity to furnish any documents and orders would be passed in accordance with law.

6.Heard the learned counsel appearing for the parties and perused the materials placed before this Court.

7.In view of the above submission and taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the 3rd Respondent herein to consider the Petitioner's representation dated 29.08.2022, on its own merits and pass appropriate orders keeping in view the (i)Communication dated 21.11.2017 issued by the Government of India, Ministry of Road Transport and Highways, New Delhi, (ii)Minutes of the Meeting, dated 21.08.2018, (iii)Communication dated 30.09.2022 issued by the Transport Department and also in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has



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not expressed any views with regard to the merits of the representation and it is open to the 3rd Respondent to consider the representation on its own merits.

8.With the above direction, the Writ Petition stands disposed of.

No costs.

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Index : Yes / No

Internet: Yes/No

Rmk

To

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MOHAMMED SHAFFIQ, J.

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