



WEB COPY



W.P. No. 26089 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 26089 of 2023

and

W.M.P. No. 25498 of 2023

A.J.Shaffi

... Petitioner

-vs-

1. The Transport Commissioner cum
State Transport Authority
Chepauk, Chennai – 600 005.

2. The Licensing Authority cum
Regional Transport Officer
Cuddalore – 607 004.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari, calling for the entire records pertaining to impugned order in R.No.02/C2/2023, dated 01.08.2023 passed by the Second Respondent and quash the same as illegal violative and excessive of the jurisdiction.

For Petitioner : Mr. K.Mohanamurali

For Respondents : Mr. S.Arumugam
Government Advocate

O R D E R



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Heard Mr. K.Mohanamurali, Learned Counsel for the Petitioner and Mr. S.Arumugam, Learned Government Advocate appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. When it was pointed out that the Petitioner has got an effective alternative remedy to challenge the Order in Pro.R.No.02/C2/2023 dated 01.08.2023 passed by the Second Respondent, which is impugned in this Writ Petition, by filing an appeal under Rule 29 of the Central Motor Vehicles Rules, 1989, before the Head of the Motor Vehicles Department established under Section 213 of the Motor Vehicles Act, 1988, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition with liberty to resort to the aforesaid procedure and he has made an endorsement to that effect in the court record.

3. In view of the same, the Writ Petition is dismissed as withdrawn, granting such liberty. It is made clear that for the purpose of reckoning limitation for availing the aforesaid remedy, the period from the date of filing of the Writ Petition, viz., 01.09.2023, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. Consequently, the



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connected Miscellaneous Petition is closed. No costs.

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05.10.2023

Maya

NCS: Yes/No

Index: Yes/No

Note: Issue order copy by 31.10.2023.

To

1. The Transport Commissioner cum
State Transport Authority
Chepauk, Chennai – 600 005.
2. The Licensing Authority cum
Regional Transport Officer
Cuddalore – 607 004.



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P.D. AUDIKESAVALU, J.

Maya

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