



WEB COPY



W.P. No. 35985 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2023

CORAM

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

W.P. No. 35985 of 2023

S.Rangaraj

... Petitioner

-VS-

The Regional Transport Officer
Transport Department
Erode.

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari, calling for the records of the Respondent in order dated 09.11.2023 passed by the Respondent in Show Cause No. TN.56/2023/410 and quash the same.

For Petitioner : Mr. K.Madhan

For Respondent : Mr. U.Baranidharan,
Additional Government Pleader

ORDER

Heard Mr. K.Madhan, Learned Counsel for the Petitioner and



W.P. No. 35985 of 2023

Mr. U.Baranidharan, Learned Additional Government Pleader, who takes notice for the Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner is a driver in the Tamil Nadu State Transport Corporation and while on duty, the bus bearing Registration No. TN-33-N-3210 driven by him had on 20.10.2023 met with an accident and his driving licence was seized by the Police Officer investigating that accident and forwarded to the Respondent, as the Licensing Authority, who issued Show Cause Notice dated 30.10.2023 and thereafter, passed a final order dated 09.11.2023, suspending the driving license of the Petitioner for the period from 20.10.2023 to 19.04.2024 (5 months and 30 days) under Section 19(1)(d) and (f) of the Motor Vehicles Act, 1988 read with Rule 21 of the Central Motor Vehicles Rules, 1989, which is challenged in this Writ Petition.

3. Learned Additional Government Pleader appearing for the Respondent has brought to notice that the impugned order has been re-called and a fresh order dated 22.12.2023 has been passed and Learned Counsel for the Petitioner has acknowledged receipt of its copy in the Court today.



W.P. No. 35985 of 2023

WEB COPY

4. In such circumstances, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition reserving the rights of the Petitioner to challenge the aforesaid order dated 22.12.2023 passed by the Respondent and he has made an endorsement to that effect in the court record.

In the result, the Writ Petition is dismissed as withdrawn with the aforesaid clarifications. No costs.

22.12.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 10.05.2024.

Maya

To

The Regional Transport Officer
Transport Department
Erode.



WEB COPY



W.P. No. 35985 of 2023

P.D. AUDIKESAVALU, J.

Maya

W.P. No. 35985 of 2023

22.12.2023