

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**MONDAY, THE TENTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SARATH

WRIT PETITION NO: 8990 OF 2023

Between:

D.Bikshpathi, S/o. Saidulu, Age 35 years, Occ ; Homeguard Driver, R/o.H.No.10-187, Amangal Mandal, Rangareddy - 509321 Admit Card No.1176718, Driving License No.505/MBNR/20080D Posts Applied. PC Driver, Driver in Fire, Date of Driving Test. 24/03/2023.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary to Govt, Home Department, Telangana Secretariat, Hyderabad - 500 022.
2. The Telangana State Level Police Recruitment Board, O/o. The Director General of Police, Telangana State, Saifabad, Hyderabad, Rep. by its Chairman.

...RESPONDENTS

Petition Under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the Respondents in rejecting the candidature of the petitioner by imposing the condition that candidate must have possessed either Light Motor Vehicle (Transport with Badge Number) or HMV License, or both put together, continuously for a period of full two years and above as on date of the notification vide Rc. No. 39/Rect./Admn-1/2022 Date.25/04/2022 - SCT PC Driver and HMV License continuously for a period of full two years and above as on date of the notification vide Rc. No. 60/Rect./Admn-1/2022 Date.20/05/2022 - Driver Operator in Fire Services issued by the 2nd Respondent is contemptuous, improper, unjust, illegal, arbitrary and against the Secs. 15 (1) and 15 (4) of the Motor Vehicles (Amendment) Act, 2019 and against the order vide RT-11036/35/2020-MVL dated. 30.09.2021 issued by the Ministry of Road Transport and Highways (MVL Section) and violative of fundamental rights of the petitioner guaranteed under Articles 14, 19 and 21 of the Constitution of India and consequently set aside the REJECTION MEMO and direct the 2nd Respondent to consider the petitioner

under Secs. 15 (1) and 15 (4) of the Motor Vehicles (Amendment) Act, 201 and also consider the length of the period mentioned in RT-11036/35/2020-MVL dated 30.09.2021 while renewing the license and allow them for the further selection process driving test and final written examinations.

I.A.NO:1 OF 2023

Petition Under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the Rejection Memo and direct the 2nd Respondent to allow the petitioner to participate in the further selection process of the Driving Test and Final Written Examination.

Counsel for the Petitioner : SRI.SRINIVAS KUDUMULA

Counsel for the Respondent No.1 : GP FOR HOME

Counsel for the Respondent No.2 : SRI.M.V.RAMA RAO

The Court made the following ORDER

THE HON'BLE SRI JUSTICE K.SARATH

WRIT PETITION No.8990 of 2023

ORDER:-

Learned Counsel appearing for the petitioner submits that the cause in the Writ Petition does not survive and no further orders required in this matter, thereby, the Writ Petition has become infructuous.

2. Recording the above said submission, the Writ Petition is dismissed as infructuous.

3. As sequel to it, Miscellaneous Petitions, if any pending, shall stand dismissed. No order as to costs.

SD/- K. AMMAJI
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To

1. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad. [OUT]
2. One CC to SRI.SRINIVAS KUDUMULA, Advocate [OPUC]
3. One CC to SRI.M.V.RAMA RAO, Advocate [OPUC]
4. Two CD Copies

S.A
GJP

HIGH COURT

DATED:10/04/2023

ORDER

WP.No.8990 of 2023



DISMISSING THE W.P

AS INFRUCTUOUS WITHOUT COSTS.

PM

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28/04/23

SW