



WP(MD)No.23459 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **04.10.2024**

CORAM

THE HONOURABLE **MR.JUSTICE MOHAMMED SHAFFIQ**

W.P.(MD)No.23459 of 2024

A.Sivaprakash

... Petitioner

/Vs./

1.The Commissioner,
Transport and Road Safety Department,
Anna Salai,
Guindy,
Chennai 600 032.

2.The Regional Transport Officer,
Regional Transport Office,
Collectorate Compound,
Sivagangai.

... Respondents

PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to issue Badge Licence to the petitioner, LMV Licence issued by 2nd respondent dated 26.07.2021 DL No. TN 63 - 20210004553 and consider the petitioner's representation dated 04.09.2024.

For Petitioner : Mr.S.Pugalendhi

For Respondents : Mr.J.K.Jayaseelan

Government Advocate



WP(MD)No.23459 of 2024

ORDER

WEB COPY

This writ petition has been filed seeking for a mandamus, directing the respondents to issue Badge Licence to the petitioner, LMV Licence issued by 2nd respondent dated 26.07.2021 DL No. TN 63 - 20210004553 and consider the petitioner's representation dated 04.09.2024.

2. Heard Mr.S.Pugalendhi, learned counsel appearing for the petitioner and Mr.J.K.Jayaseelan, learned Government Advocate appearing for the respondents.

3. By consent of both parties, this writ petition is taken up at the stage of admission itself.

4. According to the petitioner, the petitioner had applied for LMV licence and MCWG licence to the second respondent. The first respondent has issued LMV licence in DL No. TN 63 – 20210004553 valid till 04.12.2042. The petitioner has also completed Health Inspector course on 05.05.2023. The petitioner has been operating the harvesting machine to harvest the paddy crops. The petitioner has applied for badge licence to the first respondent, which was denied on the premise that a case in Crime No.270 of 2022 on the file of the



WP(MD)No.23459 of 2024

Elayangudi Police Station filed under Sections 294(v), 323, 326 and 506(ii) of IPC, which was charge sheeted in CC No.9 of 2022 before the District Munsif cum Judicial Magistrate, Elayangudi.

5. It is submitted by the learned counsel appearing for the petitioner that a representation has also been given by the petitioner before the first respondent on 04.09.2024 for issuance of badge licence. Hence, the petitioner came before this Court by way of filing this writ petition.

6. The learned Government Advocate appearing for the respondents submitted that badge licence cannot be withheld. He also submitted that the representation of the petitioner would be considered and orders would be passed on the petitioner's representation dated 04.09.2024, after issuing notice to the petitioner and other interested parties, within a time frame to be fixed by this Court.

7. Considering the aforesaid submission made by the learned Government Advocate appearing for the respondents, the respondents are directed to consider and pass orders on the petitioner's representation dated 04.09.2024, after issuing notice to the petitioner and other interested parties,



WP(MD)No.23459 of 2024

and after affording an opportunity of hearing to the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

8. With the above direction, this writ petition is disposed of. No costs.

04.10.2024

NCC :Yes/No
Index :Yes/No
sm



WP(MD)No.23459 of 2024

To:

WEB COPY

1. The Commissioner,
Transport and Road Safety Department,
Anna Salai,
Guindy,
Chennai 600 032.

2. The Regional Transport Officer,
Regional Transport Office,
Collectorate Compound,
Sivagangai.



WEB COPY



WP(MD)No.23459 of 2024

MOHAMMED SHAFFIQ, J.

Sm

Order made in
W.P.(MD)No.23459 of 2024

Dated:
04.10.2024