



W.P.No.28383 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 22.07.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

**W.P.No.28383 of 2026**

Aravind C

S/o.Chinnadurai C

... Petitioner

vs.

1. The Inspector of Police  
TIW Pallikaranai Police Station  
Tambaram.

2. The Licensing Authority-cum-Regional Transport Officer  
Sholinganallur, Chennai. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the 2<sup>nd</sup> respondent to consider the petitioner's representation dated 13.05.2026 and consequently, return the original driving license (DL No.TN5720190003279) of the petitioner within a time frame.

For Petitioner : Mr.B.Santhanagopalakrishnan

For Respondents : Mr.M.Sivavarthan  
Government Counsel

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## **ORDER**

Mr. M. Sivavarthanan, learned Government Counsel, accepts notice for the respondents.

2. The petitioner has filed this writ petition seeking a direction to the second respondent to consider his representation dated 13.05.2026, seeking the return of his original driving licence bearing No. TN5720190003279.

3. A criminal case has been registered against the petitioner in Crime No.92 of 2026 for the offences punishable under Sections 281, 125(a) and 106(1) of the Bharatiya Nyaya Sanhita, 2023, on the allegation that his rash and negligent driving resulted in the death of a person. During the investigation, the first respondent seized the petitioner's driving licence and forwarded it to the second respondent.

4. Learned counsel for the petitioner contended that the police have no statutory power to seize a driving licence and that any action against the licence can be taken only in accordance with the provisions of the Motor Vehicles Act, 1988 ("the MV Act"). In support of this contention, reliance



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was placed on the decision of this Court in ***D. Jayachandran v. Inspector of Police and another in W.P. No.3393 of 2023, decided on 07.02.2023.***

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5. The learned Government Counsel, on instructions, submitted that the licence was seized with a view to initiating action under Section 19 of the MV Act, and therefore the action was within the statutory framework.

6. Heard the learned counsel appearing for both sides.

7. In ***D. Jayachandran (supra)***, this Court held that seizure of a driving licence is not a prerequisite for initiating proceedings under Section 19 of the MV Act. The Licensing Authority can initiate action under Section 19 on the basis of a report submitted by the police, irrespective of whether the licence has been seized or produced. The police have no independent power to seize the driving licence merely because an FIR has been registered. If the police consider that action under Section 19 is warranted, they may submit a report to the Licensing Authority, which shall examine whether any of the grounds under Section 19(1)(a) to (h) or Section 19(1A) are attracted and, after giving the licence holder an opportunity of hearing, pass appropriate orders in accordance with law.



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8. The principles laid down in the above decision squarely apply to the present case. Accordingly, the second respondent is directed to return the petitioner's original driving licence bearing No. TN5720190003279 within one week from the date of receipt of a copy of this order.

9. It is, however, open to the respondents to initiate appropriate proceedings against the petitioner in accordance with the provisions of the Motor Vehicles Act, 1988. No costs.

**22.07.2026**

Index : Yes / No

Neutral Citation : Yes / No

Speaking / Non-speaking

*mk*

*To*

1. The Inspector of Police  
TIW Pallikaranai Police Station  
Tambaram.
2. The Licensing Authority-cum-Regional Transport Officer  
Sholinganallur, Chennai.

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**HEMANT CHANDANGOUDAR, J.,**

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