

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2016

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.12091 of 2016

N.Rajan

... Petitioner

Vs.

1. The Transport Commissioner,
Chepauk, Chennai - 600 005.
2. The License Issuing Authority,
Regional Transport Office,
Marthandam,
Kanyakumari District.
3. The Regional Transport Officer,
Thiruvallur Regional Transport Office,
Thiruvallur District.
4. The Inspector of Police,
B 1 Thiruvallur Town Police Station,
Thiruvallur District.
5. The General Manager,
Metropolitan Transport Corporation,
Pallavan House, Chennai.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the respondents to return the petitioner's Driving License in DL.No. TN 74 19950006133 and enable the petitioner to joint duty before the 5th respondent.

For Petitioner : Mr.A.Rajesh Kanna
For Respondents : Mr.A.Raja Perumal,
Government Advocate

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus to direct the respondents to return the petitioner's Driving License in DL.No. TN 74 19950006133.

2.It is the case of the petitioner that the respondents 1 to 4 had seized the petitioner's Driving License even prior to the completion of the criminal case registered against him. According to the petitioner, the 4th respondent registered a case against him under Sections 279 and 304 (A) of the Indian Penal Code in Crime No.27/2016 dated 21.01.2016. Even before the completion of the criminal case, the respondents have seized the Driving License of the petitioner, which is against the ratio laid down by the Division Bench of this Court in 2010 Writ L.R. 100 [P.Sethuram Vs. The Licensing Authority, The Regional Transport Officer, The Regional Transport Office, Dindigul]

3.Mr.A.Raja Perumal, learned Government Advocate taking notice for the respondents submitted that the issue involved in the present Writ Petition is covered by the decision of the Division Bench of this Court.

4.In view of the submissions made by the learned counsel on either side, following the ratio laid down by the Division Bench of this Court in 2010 Writ L.R. 100 [P.Sethuram Vs. The Licensing Authority, The Regional Transport Officer, The Regional Transport Office, Dindigul], I direct the respondents 1 to 4 to return the petitioner's driving license to him forthwith on production of a copy of this order. However, it is open to the respondents to proceed against the petitioner in accordance with law after issuing notice.

5.With this observations, the Writ Petition is disposed of.
No costs.
va

s/d-

Assistant Registrar(AS)

True Copy

Sub-Assistant Registrar

To

1. The Transport Commissioner,
Chepauk, Chennai - 600 005.
2. The License Issuing Authority,
Regional Transport Office,
Marthandam,
Kanyakumari District.
3. The Regional Transport Officer,
Thiruvallur Regional Transport Office,
Thiruvallur District.

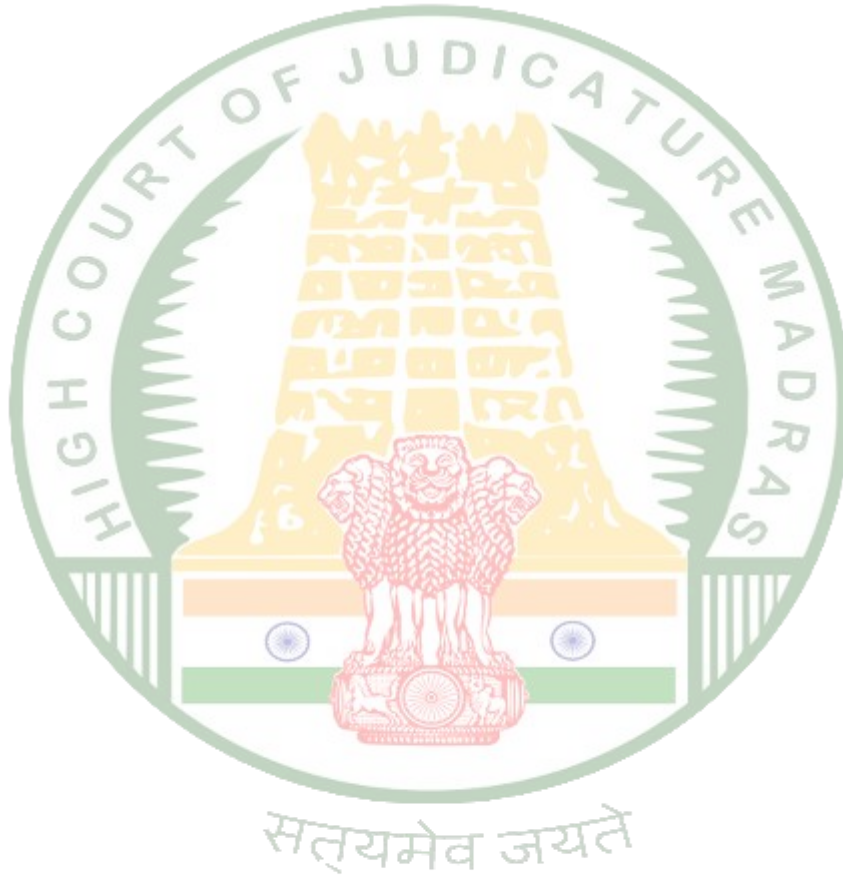
4. The Inspector of Police,
B 1 Thiruvallur Town Police Station,
Thiruvallur District.

5. The General Manager,
Metropolitan Transport Corporation,
Pallavan House, Chennai.

+ 1 cc to Govt.Pleader SR 20500

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